

PROVIDING FOR THE CONSIDERATION OF H.R. 2415, THE  
AMERICAN EMBASSY SECURITY ACT OF 1999

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JULY 14, 1999.—Referred to the House Calendar and ordered to be printed

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Mr. DIAZ-BALART, from the Committee on Rules,  
submitted the following

REPORT

[To accompany H. Res. 247]

The Committee on Rules, having had under consideration House Resolution 247, by a nonrecord vote, report the same to the House with the recommendation that the resolution be adopted.

SUMMARY OF PROVISIONS OF RESOLUTION

The resolution provides for the consideration of H.R. 2415, the “American Embassy Security Act of 1999,” under a structured rule. The rule provides 1 hour of general debate divided equally between the chairman and ranking minority member of the Committee on International Relations.

The rule provides that before consideration of any other amendment it shall be in order to consider the first amendment printed in part A of this report, if offered by Representative Gilman or his designee, which shall be considered as read, shall be debatable for 10 minutes equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole waives all points of order against that amendment.

The rule also provides that no further amendment to the bill shall be in order except those printed in this report and the amendments en bloc described in section 2 of the resolution. The rule provides that each amendment may be offered only in the order printed in this report, may be offered only by a Member designated in this report, shall be considered as read, shall be debatable for the time specified in this report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment except as specified in this report, and shall not be subject to a de-

mand for division of the question in the House or in the Committee of the Whole.

The rule authorizes the chairman of the Committee on International Relations or his designee to offer amendments en bloc consisting of amendments printed in part B of this report or germane modifications of any such amendment, which shall be considered as read (except that modifications shall be reported), shall be debatable for 20 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on International Relations or their designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

The rule allows the chairman of the Committee of the Whole to postpone votes during consideration of the bill and to reduce voting time to five minutes on a postponed question if the vote follows as fifteen minute vote.

The rule provides one motion to recommit with or without instructions. The rule further provides that after passage of H.R. 2415, it shall be in order to take from the Speaker's table the bill S. 886 and to consider the Senate bill in the House. The rule waives all points of order against the Senate bill and against its consideration. Finally, the rule provides that it shall be in order to move to strike all after the enacting clause of the Senate bill and to insert in lieu thereof the provisions of H.R. 2415 as passed by the House, and the rule waives all points of order against that motion.

The waiver of all points of order against the first amendment printed in Part A of this report includes a waiver of clause 7 of rule XVI (prohibiting nongermane amendments). This waiver is necessary because provisions in Title XV of the Manager's amendment, relating to the authority to exempt India and Pakistan from certain sanctions, are not germane to the bill.

Summary of Amendments Made in Order to H.R. 2415, The American Embassy Security Act of 1999:

#### PART A

1. Gilman (#42): Manager's Amendment—to be Considered Original Text for Amendment Purposes if Adopted. Provides that out of funds authorized for U.S. voluntary contributions to international organizations, \$110 million is authorized for a contribution to the United Nations Children's fund (UNICEF); authorizes \$15 million (the amount in the Administration's budget request and in the Committee-reported Foreign Relations Authorizations Act) for a grant to the Asia foundation; amends the Foreign Affairs Reform and Restructuring Act of 1998 to provide that transfers pursuant to the reorganization of the State Department shall not adversely affect the relative positions of women and minorities within the administrative structures of the agencies being consolidated; amends section 402 of the bill, which requires the inclusion in U.S. international exchange programs of persons committed to freedom and democracy, to make clear that care should be taken not to endanger the personal safety of such persons, and to provide that governments who deny freedom and democracy should not be given inappropriate influence in the conduct of U.S. exchange programs; requires periodic reports on the investigation into the March 30, 1997

grenade attack in Cambodia that killed 17 democracy activists and wounded an American citizen; adds a new Division B, the Security Assistance Act of 1999 (identical to H.R. 973 which passed the House under suspension of the rules on June 15, 1999) which modifies authorities with respect to the provision of security assistance under the Foreign Assistance Act of 1961 and the Arms Export Control Act. (10 minutes)

2. Smith(NJ)/Barcia (#28): Prohibits a contribution to the UNFPA unless either the UNFPA ceases all its activities in China (PRC), or the President certifies that there are no forced abortions associated with the PRC population control program. (30 minutes)

3. Campbell/Gilman (#53): Amendments to Smith (NJ) amendment which restores funding to the UNFPA and ensures that no U.S. funds are spent on the UNFPA program in China. This would be accomplished by withholding 100 percent of the amount UNFPA plans to spend in China from the U.S. contribution. For example, if UNFPA spends \$5 million, then the U.S. contribution would be deducted by the amount of \$5 million. (30 minutes)

## PART B

4. Gejdenson (#34): Authorizes the Department of State to appropriate the necessary funds to fulfill its portion in FY2000 of the U.S. assessment for the civil budget of NATO. (10 minutes)

5. Capuano (#8): Directs \$2.5 million in the Migration and Refugee Assistance account for a rape counseling program to assist women in war torn countries who have been victimized by rape. (10 minutes)

6. Sanford (#2): Reduces funding for the Center for Cultural and Technical Interchange between East and West by \$5.5 million to its FY 1998 level of \$12 million; authorizes funding for the Dante B. Fascell North-South Center at its FY 1998 level of \$1.5 million; authorizes funding for the Asia Foundation at its FY 1998 level of \$8 million. (10 minutes)

7. Sanders (#25): Provides \$1.5 million from funds authorized in the bill for education and cultural exchange programs, for the establishment of the Israel-Arab Peace Partners Program, which would provide people-to-people activities, for participants from Israel, the Palestinian Authority, Arab Countries and the U.S. (10 minutes)

8. Paul (#12): Eliminates authorization for United Nations programs including International Peacekeeping Activities and the United Nations' Population Fund. (10 minutes)

9. Rohrabacher (#32): Directs the Secretary of State to establish a streamlined commercial satellite export control regime which shall only be available for proposed exports to allies and friendly nations, but not to exports to the People's Republic of China. Allocates \$11 million to the Office of Defense Trade Controls to administer this and related export control duties. (10 minutes)

10. Bereuter (#7): Changes current law to permit budgetary scoring of leased properties on an annual basis thereby permitting the speedy construction of more secure diplomatic facilities. (10 minutes)

11. Gejdenson (#35): Directs the Department of State to prepare a report on the global trade in small arms and light weapons, to assess the degree to which small arms represent a proliferation problem and the threats, if any, to U.S. interests. (10 minutes)

12. Rohrabacher (#33): Directs the Secretary of State to make available to appropriate congressional committees a report, in classified and unclassified form, on the March 30, 1997 grenade attack in Cambodia. (10 minutes)

13. Kucinich (#39): Requires the Secretary of State to submit a report to Congress, written by an independent panel of experts, evaluating the role of diplomacy in ending the conflict in Kosovo. (10 minutes)

14. Sanders (#26): Directs the Secretary of State to establish a task force, with other federal agencies, to determine refugee status eligibility guidelines for women seeking refugee status due to gender-related persecution. (10 minutes)

15. Sanders (#27): Prevents the U.S. government (State Dept. employees) from imposing restrictions on any Asian or African country or Israel if that country imports prescription medications from other nations, instead of directly from a pharmaceutical company, in order to benefit from the lowest price available in the world. (10 minutes)

16. Salmon/Andrews/Saxton (#10): Directs the Secretary of State to submit semi-annual reports on the status of the investigations of terrorist attacks that have killed American citizens in Israel and territory administered by the Palestinian Authority. (10 minutes)

17. Andrews (#18): Allows the Secretary of State to deny passports to non-custodial parents (U.S. citizens) who owe more than \$2,500 in child support payments (10 minutes)

18. Gibbons (#30): Intends to stop the abduction of children out of the U.S. by applying safeguards during the issuance of passports for the first time to children under the age of 14. (10 minutes)

19. Ehlers (#54): Establishes a science and technology adviser to the Secretary of State through the Undersecretary of State for Global Affairs. The Advisor would provide guidance on international matters affecting foreign policy and would have substantial experience in science and technology issues. (10 minutes)

20. Capps (#11): Adds language to the Tibetan Education and Exchange Program which authorizes funds for at least 30 scholarships to Tibetan students and 15 scholarships to Burmese students. (10 minutes)

21. Engel (#47): Adds exports of crime control equipment to Section 408 as an additional requirement under items held on the condition of fair and independent investigations of the Rosemary Nelson and Patrick Finucane cases. (10 minutes)

22. Gilman/Markey (#41): Restricts all nuclear cooperation with North Korea until the President determines and certifies to appropriate Congressional committees that: North Korea is in compliance with all international agreements regarding nuclear proliferation; North Korea has terminated its nuclear weapons program, including all efforts to acquire, develop, test, produce, or deploy such weapons; and, such cooperation is in the national interest of the United States. (60 minutes)

23. Gejdenson (#49): Sense of Congress calling on the U.S. to support the nascent peace process in Colombia and calls on extragovernmental groups to demonstrate their commitment to the peace process by ceasing to engage in violence and kidnapping. (10 minutes)

24. Bereuter (#6): Express support of the Congress for the upcoming plebiscite on independent or autonomy in East Timor and calls upon the Indonesian government to disarm anti-independence paramilitary groups and prevent them from preventing a free and fair vote. (20 minutes)

25. Hastings (FL) (#36): Expresses a sense of the House in support of the upcoming parliamentary elections in Haiti, and urges the State Department to review embassy operations in Port-au-Prince to ensure it has sufficient personnel and resources to carry out important functions in the months leading up to the fall elections. (10 minutes)

26. Goodling (#17): Prohibit foreign military assistance to countries which fail to support the U.S. at least 25% of the time in the UN General Assembly. Would have humanitarian aid and developmental assistance intact. (10 minutes)

27. Conduit (#15): Requires all recipients of U.S. foreign aid to certify annually the exact need and intended use for the U.S. assistance and provide a detailed accounting of how the assistance has been used. (10 minutes)

28. Traficant (#21): Limits U.S. assistance for reconstruction efforts in Kosovo to American made goods and services. Does not cover private relief efforts. (10 minutes)

29. Traficant (#22): Requires that all authorization of appropriations under the bill must be used for procurement inside the U.S. or developed countries unless: (1) the goods and services can be produced in the country in which the assistance is provided, at lesser cost, (2) the goods and services are not typically produced in the U.S. or a developing country, (3) the Congress has specifically authorized procurement outside the U.S. or a developing country, or (4) the President determines on a case-by-case basis that procurement outside the U.S. or a developing country would be a more cost efficient use of such assistance. (10 minutes)

30. Stearns (#38): Seeks a sense of the Congress that employees of the State Department who, in the course of their duties, offer facts to the Congress concerning their responsibilities, should not as a result be demoted from their position or removed from Federal employment. This would address the case of Ms. Linda Shenwick, a State Department employee who was unfairly demoted from her position after reporting waste and mismanagement to Members of Congress in effort to carry out her duties to implement budgetary reform. This version contains no authorization for compensation. (10 minutes)

31. Waters (#45): Sense of Congress to seek the protection of liberties and human rights in Peru and to seek the release of Lori Berenson. (10 minutes)

32. Capps/Houghton (#9): Sense of Congress commending the people of Israel for reaffirming their dedication to democratic ideals, congratulating Prime Minister Barak on his election, and

pledging to work with the President and Israeli government to advance the cause of peace in the Middle East. (10 minutes)

33. Bilbray/Filner (#43): Encourages the U.S. and Mexico to enter into an agreement which will provide for a long-term and comprehensive solution to eliminate sewage pollution of the San Diego and Tijuana border region. (10 minutes)

34. Andrews (#19): Expresses the sense of Congress that the water boundaries established in the Treaty of Lausanne of 1923 and the 1932 Convention between Italy and Turkey, are the borders between Greece and Turkey in the Aegean Sea and any party, including Turkey, objecting to these boundaries should seek redress in the International Court of Justice at the Hague. (10 minutes)

35. Andrews/Rohrabacher/Deutsch/McNulty/Calvert/Wu/Bilirakis (#20): Expresses the sense of Congress that Taiwan should be congratulated for its democratic tradition and that the President should publicly urge China to refrain from using military force against Taiwan, especially to influence Taiwan's upcoming presidential elections. Also expresses that the U.S. should help defend Taiwan in the event of a military attack from China. (20 minutes)

36. Doggett (#52): Authorizes the Foreign Claims Settlement Commission to receive and determine the validity of claims on assets of the government of Iraq; ensures that the Commission will rule on the claims of active, retired or reserve members of the United States Armed Forces before deciding any other claim. (10 minutes)

37. Engel (#48): Expresses concern with large, but undetermined number of Kosovar Albanians held in Serbian prisons in Kosovo who were taken to Serbia before and during the withdrawal of Serbian forces and calls for immediate access to the prisoners by the Red Cross, their treatment in accordance with international standards, and their release from prison. (10 minutes)

38. Engel/Weiner (#46): Expresses the sense of Congress that the Magen David Adom Society should be recognized as a full member of the International Red Cross and Red Crescent Movement. (10 minutes)

39. Delahunt (#16): Augments the requirements for the annual State Dept. country human rights reports to ensure that the reports include, wherever applicable, instances of war crimes, crimes against humanity, and evidence of acts that may constitute genocide. (10 minutes)

40. Hall (OH) (#5): Strikes provisions in the bill which restrict U.S. contributions to the United Nations Development Program for humanitarian projects in Burma unless the Administration certifies certain conditions are met. (20 minutes)

41. Gilman (#40): Seeks a sense of the Congress in support of the Iraqi democratic opposition. (10 minutes)

1. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE GILMAN OF NEW YORK, OR A DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 4, after line 9, add the following (and conform the table of contents accordingly):

## DIVISION A—DEPARTMENT OF STATE AND RELATED PROVISIONS

Page 12, line 4, before the period insert “and for returned or returning refugees, displaced persons, and other victims of the humanitarian crisis within Kosovo”.

Page 15, strike lines 1 through 16, and insert the following:

(4) NATIONAL ENDOWMENT FOR DEMOCRACY.—For the “National Endowment for Democracy”, \$32,000,000 for the fiscal year 2000.

(5) REAGAN-FASCELL DEMOCRACY FELLOWS.—For a fellowship program, to be known as the “Reagan-Fascell Democracy Fellows”, for democracy activists and scholars from around the world at the International Forum for Democratic Studies in Washington, D.C., to study, write, and exchange views with other activists and scholars and with Americans, \$2,000,000 for the fiscal year 2000.

Page 17, after line 14, insert the following:

(5) UNICEF.—Of the amounts authorized to be appropriated under subsection (a), \$110,000,000 for the fiscal year 2000 is authorized to be appropriated only for a United States contribution to UNICEF.

Page 21, line 25, strike “such sums as may be necessary” and insert “\$15,000,000”.

Page 56, strike line 16.

Page 67, after line 22, insert the following new section:

### SEC. 332. PRESERVATION OF DIVERSITY IN REORGANIZATION.

Section 1613(c) of the Foreign Affairs Reform and Restructuring Act of 1998 (as enacted by division G of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999; Public Law 105-277) is amended in the first sentence by striking “changed.” and inserting “changed, nor shall the relative positions of women and minorities in the administrative structures of the agencies subject to this section be adversely affected as a result of such transfers.”.

Page 68, strike line 21, and all that follows through line 4 on page 70 and insert the following:

### SEC. 402. CONDUCT OF CERTAIN EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS.

Section 102 of the Human Rights, Refugee, and Other Foreign Relations Provisions Act of 1996 (22 U.S.C. 2452 note) is amended by striking “Director” and all that follows through the period and inserting the following: “Secretary of State, with the assistance of the Under Secretary for Public Diplomacy, shall—

“(1) include, as a significant proportion of the participants in such programs, nationals of such countries who the Secretary has reason to believe are committed to freedom and democracy;

“(2) consult with human rights and democracy advocates from such countries on the inclusion of participants and grantee organizations for such programs;

“(3) take all appropriate steps to ensure that inclusion in such programs does not compromise the personal safety of participants; and

“(4) select grantee organizations for such programs through an open, competitive process in which proposals are solicited from multiple applicants and in which important factors in the selection of a grantee include the relative likelihood that each of the competing applicants would be willing and able—

“(A) to recruit as participants in the program persons described in paragraph (1); and

“(B) in selecting participants who are associated with governments or other institutions wielding power in countries described in this section, to recruit those most likely to be open to an understanding of the principles of freedom and democracy, and to avoid—

“(i) giving such governments inappropriate influence in the selection process; and

“(ii) selecting those who are so firmly committed to the suppression of freedom and democracy that their inclusion could create an appearance that the United States condones such suppression.”.

Page 84, after line 16, add the following (and conform the table of contents accordingly):

## **DIVISION B—SECURITY ASSISTANCE PROVISIONS**

### **SEC. 1001. SHORT TITLE.**

This division may be cited as the “Security Assistance Act of 1999”.

## **TITLE XI—TRANSFERS OF EXCESS DEFENSE ARTICLES**

### **SEC. 1101. EXCESS DEFENSE ARTICLES FOR CENTRAL EUROPEAN COUNTRIES.**

Section 105 of Public Law 104–164 (110 Stat. 1427) is amended by striking “1996 and 1997” and inserting “2000 and 2001”.

### **SEC. 1102. EXCESS DEFENSE ARTICLES FOR CERTAIN INDEPENDENT STATES OF THE FORMER SOVIET UNION.**

(a) **USES FOR WHICH FUNDS ARE AVAILABLE.**—Notwithstanding section 516(e) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j(e)), during each of the fiscal years 2000 and 2001, funds available to the Department of Defense may be expended for crating, packing, handling, and transportation of excess defense articles transferred under the authority of section 516 of that Act to Georgia, Kazakhstan, Kyrgyzstan, Moldova, Turkmenistan, Ukraine, and Uzbekistan.

(b) **CONTENT OF CONGRESSIONAL NOTIFICATION.**—Each notification required to be submitted under section 516(f) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j(f)) with respect to a proposed transfer of a defense article described in subsection (a) shall



include an estimate of the amount of funds to be expended under subsection (a) with respect to that transfer.

## **TITLE XII—FOREIGN MILITARY SALES AUTHORITIES**

### **SEC. 1201. TERMINATION OF FOREIGN MILITARY FINANCED TRAINING.**

Section 617 of the Foreign Assistance Act of 1961 (22 U.S.C. 2367) is amended—

- (1) by inserting in the second sentence “and the Arms Export Control Act” after “under this Act” the first place it appears;
- (2) by striking “under this Act” the second place it appears; and
- (3) by inserting in the third sentence “and under the Arms Export Control Act” after “this Act”.

### **SEC. 1202. SALES OF EXCESS COAST GUARD PROPERTY.**

Section 21(a)(1) of the Arms Export Control Act (22 U.S.C. 2761(a)(1)) is amended in the text above subparagraph (A) by inserting “and the Coast Guard” after “Department of Defense”.

### **SEC. 1203. COMPETITIVE PRICING FOR SALES OF DEFENSE ARTICLES.**

Section 22(d) of the Arms Export Control Act (22 U.S.C. 2762(d)) is amended—

- (1) by striking “Procurement contracts” and inserting “(1) Procurement contracts”; and
- (2) by adding at the end the following:
 

“(2) Direct costs associated with meeting additional or unique requirements of the purchaser shall be allowable under contracts described in paragraph (1). Loadings applicable to such direct costs shall be permitted at the same rates applicable to procurement of like items purchased by the Department of Defense for its own use.”.

### **SEC. 1204. REPORTING OF OFFSET AGREEMENTS.**

(a) GOVERNMENT-TO-GOVERNMENT SALES.—Section 36(b)(1) of the Arms Export Control Act (22 U.S.C. 2776(b)(1)) is amended in the fourth sentence by striking “(if known on the date of transmittal of such certification)” and inserting “and, if known on the date of transmittal of such certification, a description of the offset agreement. Such description may be included in the classified portion of such numbered certification”.

(b) COMMERCIAL SALES.—Section 36(c)(1) of the Arms Export Control Act (22 U.S.C. 2776(c)(1)) is amended in the second sentence by striking “(if known on the date of transmittal of such certification)” and inserting “and, if known on the date of transmittal of such certification, a description of the offset agreement. Such description may be included in the classified portion of such numbered certification”.

### **SEC. 1205. NOTIFICATION OF UPGRADES TO DIRECT COMMERCIAL SALES.**

Section 36(c) of the Arms Export Control Act (22 U.S.C. 2776(c)) is amended by adding at the end the following new paragraph:

“(4) The provisions of subsection (b)(5) shall apply to any equipment, article, or service for which a numbered certification has been transmitted to Congress pursuant to paragraph (1) in the same manner and to the same extent as that subsection applies to any equipment, article, or service for which a numbered certification has been transmitted to Congress pursuant to subsection (b)(1). For purposes of such application, any reference in subsection (b)(5) to ‘a letter of offer’ or ‘an offer’ shall be deemed to be a reference to ‘a contract’.”.

**SEC. 1206. EXPANDED PROHIBITION ON INCENTIVE PAYMENTS.**

(a) **IN GENERAL.**—Section 39A(a) of the Arms Export Control Act (22 U.S.C. 2779a(a)) is amended—

- (1) by inserting “or licensed” after “sold”; and
- (2) by inserting “or export” after “sale”.

(b) **DEFINITION OF UNITED STATES PERSON.**—Section 39A(d)(3)(B)(ii) of the Arms Export Control Act (22 U.S.C. 2779a(d)(3)(B)(ii)) is amended by inserting “or by an entity described in clause (i)” after “subparagraph (A)”.

**SEC. 1207. ADMINISTRATIVE FEES FOR LEASING OF DEFENSE ARTICLES.**

Section 61(a) of the Arms Export Control Act (22 U.S.C. 2796(a)) is amended in paragraph (4) of the first sentence by inserting after “including reimbursement for depreciation of such articles while leased,” the following: “a fee for the administrative services associated with processing such leasing.”.

## **TITLE XIII—STOCKPILING OF DEFENSE ARTICLES FOR FOREIGN COUNTRIES**

**SEC. 1301. ADDITIONS TO UNITED STATES WAR RESERVE STOCKPILES FOR ALLIES.**

Paragraph (2) of section 514(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321h(b)(2)) is amended to read as follows:

“(2)(A) The value of such additions to stockpiles of defense articles in foreign countries shall not exceed \$340,000,000 for fiscal year 1999 and \$60,000,000 for fiscal year 2000.

“(B)(i) Of the amount specified in subparagraph (A) for fiscal year 1999, not more than \$320,000,000 may be made available for stockpiles in the Republic of Korea and not more than \$20,000,000 may be made available for stockpiles in Thailand.

“(ii) Of the amount specified in subparagraph (A) for fiscal year 2000, not more than \$40,000,000 may be made available for stockpiles in the Republic of Korea and not more than \$20,000,000 may be made available for stockpiles in Thailand.”.

**SEC. 1302. TRANSFER OF CERTAIN OBSOLETE OR SURPLUS DEFENSE ARTICLES IN THE WAR RESERVES STOCKPILE FOR ALLIES.**

(a) **ITEMS IN THE KOREAN STOCKPILE.**—

(1) **IN GENERAL.**—Notwithstanding section 514 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321h), the President is authorized to transfer to the Republic of Korea, in return for concessions to be negotiated by the Secretary of Defense, with the

concurrence of the Secretary of State, any or all of the items described in paragraph (2).

(2) COVERED ITEMS.—The items referred to in paragraph (1) are munitions, equipment, and material such as tanks, trucks, artillery, mortars, general purpose bombs, repair parts, ammunition, barrier material, and ancillary equipment, if such items are—

- (A) obsolete or surplus items;
- (B) in the inventory of the Department of Defense;
- (C) intended for use as reserve stocks for the Republic of Korea; and
- (D) as of the date of enactment of this Act, located in a stockpile in the Republic of Korea.

(b) ITEMS IN THE THAILAND STOCKPILE.—

(1) IN GENERAL.—Notwithstanding section 514 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321h), the President is authorized to transfer to Thailand, in return for concessions to be negotiated by the Secretary of Defense, with the concurrence of the Secretary of State, any or all of the items in the WRS-T stockpile described in paragraph (2).

(2) COVERED ITEMS.—The items referred to in paragraph (1) are munitions, equipment, and material such as tanks, trucks, artillery, mortars, general purpose bombs, repair parts, ammunition, barrier material, and ancillary equipment, if such items are—

- (A) obsolete or surplus items;
- (B) in the inventory of the Department of Defense;
- (C) intended for use as reserve stocks for Thailand; and
- (D) as of the date of enactment of this Act, located in a stockpile in Thailand.

(c) VALUATION OF CONCESSIONS.—The value of concessions negotiated pursuant to subsections (a) and (b) shall be at least equal to the fair market value of the items transferred. The concessions may include cash compensation, services, waiver of charges otherwise payable by the United States, and other items of value.

(d) PRIOR NOTIFICATIONS OF PROPOSED TRANSFERS.—Not less 30 days before making a transfer under the authority of this section, the President shall transmit to the chairmen of the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives a detailed notification of the proposed transfer, which shall include an identification of the items to be transferred and the concessions to be received.

(e) TERMINATION OF AUTHORITY.—No transfer may be made under the authority of this section more than three years after the date of enactment of this Act.

## **TITLE XIV—INTERNATIONAL ARMS SALES CODE OF CONDUCT ACT OF 1999**

### **SEC. 1401. SHORT TITLE.**

This title may be cited as the “International Arms Sales Code of Conduct Act of 1999”.

**SEC. 1402. FINDINGS.**

The Congress finds the following:

(1) The proliferation of conventional arms and conflicts around the globe are multilateral problems. The only way to effectively prevent rogue nations from acquiring conventional weapons is through a multinational “arms sales code of conduct”.

(2) Approximately 40,000,000 people, over 75 percent of whom were civilians, died as a result of civil and international wars fought with conventional weapons during the 45 years of the cold war, demonstrating that conventional weapons can in fact be weapons of mass destruction.

(3) Conflict has actually increased in the post cold war era.

(4) It is in the national security and economic interests of the United States to reduce dramatically the \$840,000,000,000 that all countries spend on armed forces every year, \$191,000,000,000 of which is spent by developing countries, an amount equivalent to 4 times the total bilateral and multilateral foreign assistance such countries receive every year.

(5) The Congress has the constitutional responsibility to participate with the executive branch in decisions to provide military assistance and arms transfers to a foreign government, and in the formulation of a policy designed to reduce dramatically the level of international militarization.

(6) A decision to provide military assistance and arms transfers to a government that is undemocratic, does not adequately protect human rights, or is currently engaged in acts of armed aggression should require a higher level of scrutiny than does a decision to provide such assistance and arms transfers to a government to which these conditions do not apply.

**SEC. 1403. INTERNATIONAL ARMS SALES CODE OF CONDUCT.**

(a) **NEGOTIATIONS.**—The President shall attempt to achieve the foreign policy goal of an international arms sales code of conduct with all Wassenaar Arrangement countries. The President shall take the necessary steps to begin negotiations with all Wassenaar Arrangement countries within 120 days after the date of the enactment of this Act. The purpose of these negotiations shall be to conclude an agreement on restricting or prohibiting arms transfers to countries that do not meet the following criteria:

(1) **PROMOTES DEMOCRACY.**—The government of the country—

(A) was chosen by and permits free and fair elections;

(B) promotes civilian control of the military and security forces and has civilian institutions controlling the policy, operation, and spending of all law enforcement and security institutions, as well as the armed forces;

(C) promotes the rule of law, equality before the law, and respect for individual and minority rights, including freedom to speak, publish, associate, and organize; and

(D) promotes the strengthening of political, legislative, and civil institutions of democracy, as well as autonomous institutions to monitor the conduct of public officials and to combat corruption.

(2) RESPECTS HUMAN RIGHTS.—The government of the country—

(A) does not engage in gross violations of internationally recognized human rights, including—

- (i) extra judicial or arbitrary executions;
- (ii) disappearances;
- (iii) torture or severe mistreatment;
- (iv) prolonged arbitrary imprisonment;
- (v) systematic official discrimination on the basis of race, ethnicity, religion, gender, national origin, or political affiliation; and
- (vi) grave breaches of international laws of war or equivalent violations of the laws of war in internal conflicts;

(B) vigorously investigates, disciplines, and prosecutes those responsible for gross violations of internationally recognized human rights;

(C) permits access on a regular basis to political prisoners by international humanitarian organizations such as the International Committee of the Red Cross;

(D) promotes the independence of the judiciary and other official bodies that oversee the protection of human rights;

(E) does not impede the free functioning of domestic and international human rights organizations; and

(F) provides access on a regular basis to humanitarian organizations in situations of conflict or famine.

(3) NOT ENGAGED IN CERTAIN ACTS OF ARMED AGGRESSION.—The government of the country is not currently engaged in acts of armed aggression in violation of international law.

(4) FULL PARTICIPATION IN UNITED NATIONS REGISTER OF CONVENTIONAL ARMS.—The government of the country is fully participating in the United Nations Register of Conventional Arms.

(b) REPORTS TO CONGRESS.—(1) In the report required in sections 116(d) and 502B of the Foreign Assistance Act of 1961, the Secretary of State shall describe the extent to which the practices of each country evaluated meet the criteria in paragraphs (1) through (4) of subsection (a).

(2) Not later than 6 months after the commencement of the negotiations under subsection (a), and not later than the end of every 6-month period thereafter until an agreement described in subsection (a) is concluded, the President shall report to the appropriate committees of the Congress on the progress made during these negotiations.

(c) DEFINITION.—The term “Wassenaar Arrangement countries” means Argentina, Australia, Austria, Belgium, Bulgaria, Canada, the Czech Republic, Denmark, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Japan, Luxembourg, Netherlands, New Zealand, Norway, Poland, Portugal, the Republic of Korea, Romania, Russia, Slovakia, Spain, Sweden, Switzerland, Turkey, Ukraine, and the United Kingdom.

## **TITLE XV—AUTHORITY TO EXEMPT INDIA AND PAKISTAN FROM CERTAIN SANCTIONS**

### **SEC. 1501. WAIVER AUTHORITY.**

#### **(a) AUTHORITY.—**

(1) **IN GENERAL.**—Except as provided in subsection (b), the President may waive, with respect to India or Pakistan, the application of any sanction or prohibition (or portion thereof) contained in section 101 or 102 of the Arms Export Control Act (22 U.S.C. 2799aa or 2799aa–1), section 620E(e) of the Foreign Assistance Act of 1961 (22 U.S.C. 2375(e)), or section 2(b)(4) of the Export Import Bank Act of 1945 (12 U.S.C. 635(b)(4)).

(2) **EFFECTIVE DATE.**—A waiver of the application of a sanction or prohibition (or portion thereof) under paragraph (1) shall be effective only for a period ending on or before September 30, 2000.

(b) **EXCEPTION.**—The authority to waive the application of a sanction or prohibition (or portion thereof) under subsection (a) shall not apply with respect to a sanction or prohibition contained in subparagraph (B), (C), or (G) of section 102(b)(2) of the Arms Export Control Act.

(c) **NOTIFICATION.**—A waiver of the application of a sanction or prohibition (or portion thereof) contained in section 541 of the Foreign Assistance Act of 1961 shall not become effective until 15 days after notice of such waiver has been reported to the congressional committees specified in section 634A(a) of such Act in accordance with the procedures applicable to reprogramming notifications under that section.

### **SEC. 1502. CONSULTATION.**

Prior to each exercise of the authority provided in section 1501, the President shall consult with the appropriate congressional committees.

### **SEC. 1503. REPORTING REQUIREMENT.**

Not later than August 31, 2000, the Secretary of State shall prepare and submit to the appropriate congressional committees a report on economic and national security developments in India and Pakistan.

### **SEC. 1504. APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.**

In this title, the term “appropriate congressional committees” means—

- (1) the Committee on International Relations and the Committee on Appropriations of the House of Representatives; and
- (2) the Committee on Foreign Relations and the Committee on Appropriations of the Senate.

## **TITLE XVI—TRANSFER OF NAVAL VESSELS TO CERTAIN FOREIGN COUNTRIES**

### **SEC. 1601. AUTHORITY TO TRANSFER NAVAL VESSELS.**

(a) DOMINICAN REPUBLIC.—The Secretary of the Navy is authorized to transfer to the Government of the Dominican Republic the medium auxiliary floating dry dock AFDM 2. Such transfer shall be on a grant basis under section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j).

(b) ECUADOR.—The Secretary of the Navy is authorized to transfer to the Government of Ecuador the “OAK RIDGE” class medium auxiliary repair dry dock ALAMOGORDO (ARDM 2). Such transfer shall be on a sales basis under section 21 of the Arms Export Control Act (22 U.S.C. 2761).

(c) EGYPT.—The Secretary of the Navy is authorized to transfer to the Government of Egypt the “NEWPORT” class tank landing ships BARBOUR COUNTY (LST 1195) and PEORIA (LST 1183). Such transfers shall be on a sales basis under section 21 of the Arms Export Control Act (22 U.S.C. 2761).

(d) GREECE.—(1) The Secretary of the Navy is authorized to transfer to the Government of Greece the “KNOX” class frigate CONNOLE (FF 1056). Such transfer shall be on a grant basis under section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j).

(2) The Secretary of the Navy is authorized to transfer to the Government of Greece the medium auxiliary floating dry dock COMPETENT (AFDM 6). Such transfer shall be on a sales basis under section 21 of the Arms Export Control Act (22 U.S.C. 2761).

(e) MEXICO.—The Secretary of the Navy is authorized to transfer to the Government of Mexico the “NEWPORT” class tank landing ship NEWPORT (LST 1179) and the “KNOX” class frigate WHIPPLE (FF 1062). Such transfers shall be on a sales basis under section 21 of the Arms Export Control Act (22 U.S.C. 2761).

(f) POLAND.—The Secretary of the Navy is authorized to transfer to the Government of Poland the “OLIVER HAZARD PERRY” class guided missile frigate CLARK (FFG 11). Such transfer shall be on a grant basis under section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j).

(g) TAIWAN.—The Secretary of the Navy is authorized to transfer to the Taipei Economic and Cultural Representative Office in the United States (which is the Taiwan instrumentality designated pursuant to section 10(a) of the Taiwan Relations Act) the “NEWPORT” class tank landing ship SCHENECTADY (LST 1185). Such transfer shall be on a sales basis under section 21 of the Arms Export Control Act (22 U.S.C. 2761).

(h) THAILAND.—The Secretary of the Navy is authorized to transfer to the Government of Thailand the “KNOX” class frigate TRUETT (FF 1095). Such transfer shall be on a grant basis under section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j).

(i) TURKEY.—The Secretary of the Navy is authorized to transfer to the Government of Turkey the “OLIVER HAZARD PERRY” class guided missile frigates FLATLEY (FFG 21) and JOHN A. MOORE

(FFG 19). Such transfers shall be on a sales basis under section 21 of the Arms Export Control Act (22 U.S.C. 2761).

**SEC. 1602. INAPPLICABILITY OF AGGREGATE ANNUAL LIMITATION ON VALUE OF TRANSFERRED EXCESS DEFENSE ARTICLES.**

The value of a vessel transferred to another country on a grant basis under section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j) pursuant to authority provided by section 1601 shall not be counted for the purposes of section 516(g) of the Foreign Assistance Act of 1961 in the aggregate value of excess defense articles transferred to countries under that section in any fiscal year.

**SEC. 1603. COSTS OF TRANSFERS.**

Any expense incurred by the United States in connection with a transfer of a vessel authorized by section 1601 shall be charged to the recipient.

**SEC. 1604. EXPIRATION OF AUTHORITY.**

The authority to transfer vessels under section 1601 shall expire at the end of the 2-year period beginning on the date of the enactment of this Act.

**SEC. 1605. REPAIR AND REFURBISHMENT OF VESSELS IN UNITED STATES SHIPYARDS.**

The Secretary of the Navy shall require, to the maximum extent possible, as a condition of a transfer of a vessel under section 1601, that the country to which the vessel is transferred have such repair or refurbishment of the vessel as is needed, before the vessel joins the naval forces of that country, performed at a shipyard located in the United States, including a United States Navy shipyard.

**SEC. 1606. SENSE OF THE CONGRESS RELATING TO TRANSFER OF NAVAL VESSELS AND AIRCRAFT TO THE GOVERNMENT OF THE PHILIPPINES.**

(a) SENSE OF THE CONGRESS.—It is the sense of the Congress that—

(1) the President should transfer to the Government of the Philippines, on a grant basis under section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j), the excess defense articles described in subsection (b); and

(2) the United States should not oppose the transfer of F-5 aircraft by a third country to the Government of the Philippines.

(b) EXCESS DEFENSE ARTICLES.—The excess defense articles described in this subsection are the following:

(1) UH-1 helicopters, A-4 aircraft, and the “POINT” class Coast Guard cutter POINT EVANS.

(2) Amphibious landing craft, naval patrol vessels (including patrol vessels of the Coast Guard), and other naval vessels (such as frigates), if such vessels are available.

## **TITLE XVII—MISCELLANEOUS PROVISIONS**

**SEC. 1701. ANNUAL MILITARY ASSISTANCE REPORTS.**

Section 655(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2415(b)) is amended to read as follows:



“(b) INFORMATION RELATING TO MILITARY ASSISTANCE AND MILITARY EXPORTS.—Each such report shall show the aggregate dollar value and quantity of defense articles (including excess defense articles), defense services, and international military education and training activities authorized by the United States and of such articles, services, and activities provided by the United States, excluding any activity that is reportable under title V of the National Security Act of 1947, to each foreign country and international organization. The report shall specify, by category, whether such defense articles—

“(1) were furnished by grant under chapter 2 or chapter 5 of part II of this Act or under any other authority of law or by sale under chapter 2 of the Arms Export Control Act;

“(2) were furnished with the financial assistance of the United States Government, including through loans and guarantees; or

“(3) were licensed for export under section 38 of the Arms Export Control Act.”.

**SEC. 1702. PUBLICATION OF ARMS SALES CERTIFICATIONS.**

Section 36 of the Arms Export Control Act (22 U.S.C. 2776) is amended in the second subsection (e) (as added by section 155 of Public Law 104–164)—

(1) by inserting “in a timely manner” after “to be published”; and

(2) by striking “the full unclassified text of” and all that follows and inserting the following: “the full unclassified text of—

“(1) each numbered certification submitted pursuant to subsection (b);

“(2) each notification of a proposed commercial sale submitted under subsection (c); and

“(3) each notification of a proposed commercial technical assistance or manufacturing licensing agreement submitted under subsection (d).”.

**SEC. 1703. NOTIFICATION REQUIREMENTS FOR COMMERCIAL EXPORT OF SIGNIFICANT MILITARY EQUIPMENT ON UNITED STATES MUNITIONS LIST.**

(a) NOTIFICATION REQUIREMENT.—Section 38 of the Arms Export Control Act (22 U.S.C. 2778) is amended by adding at the end the following:

“(i) As prescribed in regulations issued under this section, a United States person to whom a license has been granted to export an item identified as significant military equipment on the United States Munitions List shall, not later than 15 days after the item is exported, submit to the Department of State a report containing all shipment information, including a description of the item and the quantity, value, port of exit, and destination of the item.”.

(b) QUARTERLY REPORTS TO CONGRESS.—Section 36(a) of the Arms Export Control Act (22 U.S.C. 2776(a)) is amended—

(A) in paragraph (11), by striking “and” at the end;

(B) in paragraph (12), by striking “third-party transfers.” and inserting “third-party transfers; and”; and

(C) by adding after paragraph (12) (but before the last sentence of the subsection), the following:

“(13) a report on all exports of significant military equipment for which information has been provided pursuant to section 38(i).”.

**SEC. 1704. ENFORCEMENT OF ARMS EXPORT CONTROL ACT.**

The Arms Export Control Act (22 U.S.C. 2751 et seq.) is amended in sections 38(e), 39A(c), and 40(k) by inserting after “except that” each place it appears the following: “section 11(c)(2)(B) of such Act shall not apply, and instead, as prescribed in regulations issued under this section, the Secretary of State may assess civil penalties for violations of this Act and regulations prescribed thereunder and further may commence a civil action to recover such civil penalties, and except further that”.

**SEC. 1705. VIOLATIONS RELATING TO MATERIAL SUPPORT TO TERRORISTS.**

Section 38(g)(1)(A)(iii) of the Arms Export Control Act (22 U.S.C. 2778(g)(1)(A)(iii)) is amended by adding at the end before the comma the following: “or section 2339A of such title (relating to providing material support to terrorists)”.

**SEC. 1706. AUTHORITY TO CONSENT TO THIRD PARTY TRANSFER OF EX-U.S.S. BOWMAN COUNTY TO USS LST SHIP MEMORIAL, INC.**

(a) FINDINGS.—Congress makes the following findings:

(1) It is the long-standing policy of the United States Government to deny requests for the retransfer of significant military equipment that originated in the United States to private entities.

(2) In very exceptional circumstances, when the United States public interest would be served by the proposed retransfer and end-use, such requests may be favorably considered.

(3) Such retransfers to private entities have been authorized in very exceptional circumstances following appropriate demilitarization and receipt of assurances from the private entity that the item to be transferred would be used solely in furtherance of Federal Government contracts or for static museum display.

(4) Nothing in this section should be construed as a revision of long-standing policy referred to in paragraph (1).

(5) The Government of Greece has requested the consent of the United States Government to the retransfer of HS Rodos (ex-U.S.S. Bowman County (LST 391)) to the USS LST Ship Memorial, Inc.

(b) AUTHORITY TO CONSENT TO RETRANSFER.—

(1) IN GENERAL.—Subject to paragraph (2), the President may consent to the retransfer by the Government of Greece of HS Rodos (ex-U.S.S. Bowman County (LST 391)) to the USS LST Ship Memorial, Inc.

(2) CONDITIONS FOR CONSENT.—The President should not exercise the authority under paragraph (1) unless USS LST Memorial, Inc.—

(A) utilizes the vessel for public, nonprofit, museum-related purposes;

(B) submits a certification with the import application that no firearms frames or receivers, ammunition, or other firearms as defined in section 5845 of the National Firearms Act (26 U.S.C. 5845) will be imported with the vessel; and

(C) complies with regulatory policy requirements related to the facilitation of monitoring by the Federal Government of, and the mitigation of potential environmental hazards associated with, aging vessels, and has a demonstrated financial capability to so comply.

**SEC. 1707. EXCEPTIONS RELATING TO PROHIBITIONS ON ASSISTANCE TO COUNTRIES INVOLVED IN TRANSFER OR USE OF NUCLEAR EXPLOSIVE DEVICES.**

(a) IN GENERAL.—Section 2 of the Agriculture Export Relief Act of 1998 (Public Law 105–194; 112 Stat. 627) is amended—

(1) by striking subsection (d); and

(2) by striking the second sentence of subsection (e).

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date of the enactment of this Act or September 30, 1999, whichever occurs earlier.

**SEC. 1708. CONTINUATION OF THE EXPORT CONTROL REGULATIONS UNDER IEEPA.**

To the extent that the President exercises the authorities of the International Emergency Economic Powers Act to carry out the provisions of the Export Administration Act of 1979 in order to continue in full force and effect the export control system maintained by the Export Administration regulations issued under that Act, including regulations issued under section 8 of that Act, the following shall apply:

(1) The penalties for violations of the regulations continued pursuant to the International Emergency Economic Powers Act shall be the same as the penalties for violations under section 11 of the Export Administration Act of 1979, as if that section were amended—

(A) by amending subsection (a) to read as follows:

“(a) IN GENERAL.—Except as provided in subsection (b), whoever knowingly violates or conspires to or attempts to violate any provision of this Act or any license, order, or regulation issued under this Act—

“(1) except in the case of an individual, shall be fined not more than \$500,000 or 5 times the value of any exports involved, whichever is greater; and

“(2) in the case of an individual, shall be fined not more than \$250,000 or 5 times the value of any exports involved, whichever is greater, or imprisoned not more than 5 years, or both.”;

(B) in subsection (b)—

(i) in paragraphs (1)(A) and (2)(A) by striking “five times” and inserting “10 times”;

(ii) in paragraph (1)(B) by striking “\$250,000” and inserting “\$500,000”; and

(iii) in paragraph (2)(B) by striking “\$250,000, or imprisoned not more than 5 years” and inserting “\$500,000, or imprisoned not more than 10 years”;

(C) in subsection (c)(1)—

(i) by striking “\$10,000” and inserting “\$250,000”; and

(ii) by striking “except that the civil penalty” and all that follows through the end of the paragraph and inserting “except that the civil penalty for a violation of the regulations issued pursuant to section 8 may not exceed \$50,000.”; and

(D) in subsection (h)(1), by inserting after “Arms Export Control Act (22 U.S.C. 2778)” the following: “section 16 of the Trading with the enemy Act (50 U.S.C. 16), or, to the extent the violation involves the export of goods or technology controlled under this or any other Act or defense articles or defense services controlled under the Arms Export Control Act, section 371 or 1001 of title 18, United States Code,”.

(2) The authorities set forth in section 12(a) of the Export Administration Act of 1979 may be exercised in carrying out the regulations continued pursuant to the International Emergency Economic Powers Act.

(3) The provisions of sections 12(c) and 13 of the Export Administration Act of 1979 shall apply in carrying out the regulations continued pursuant to the International Emergency Economic Powers Act.

(4) The continuation of the provisions of the Export Administration Regulations pursuant to the International Emergency Economic Powers Act shall not be construed as not having satisfied the requirements of that Act.

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2. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE SMITH OF NEW JERSEY, OR REPRESENTATIVE BARCIA OF MICHIGAN, OR A DESIGNEE, DEBATABLE FOR 30 MINUTES

Page 19, strike line 1 and all that follows through line 17, on page 21, and insert the following:

(d) CONTRIBUTIONS TO UNITED NATIONS POPULATION FUND.—

(1) LIMITATION.—Of the amounts made available under subsection (a) for United States voluntary contributions no funds may be made available to the United Nations Population Fund (UNFPA) unless the President submits to the appropriate congressional committees the certification described in paragraph (2).

(2) CERTIFICATION.—The certification referred to in paragraph (1) is a certification by the President that—

(A) the UNFPA has terminated all activities in the People’s Republic of China, and the United States has received assurances that UNFPA will conduct no such activities during the fiscal year for which the funds are to be made available; or

(B) during the 12 months preceding such certification there have been no abortions as the result of coercion associated with the family planning policies of the national government or other governmental entities within the People’s Republic of China.

(3) DEFINITION.—As used in this subsection, the term “coercion” includes physical duress or abuse, destruction or confiscation of property, loss of means of livelihood, and severe psychological pressure.

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3. AN AMENDMENT IN THE NATURE OF A SUBSTITUTE TO THE SMITH OF NEW JERSEY AMENDMENT, TO BE OFFERED BY REPRESENTATIVE CAMPBELL OF CALIFORNIA, OR REPRESENTATIVE GILMAN OF NEW YORK, OR A DESIGNEE, DEBATABLE FOR 30 MINUTES

Page 19, strike line 1, and all that follows through line 17 on page 21, and insert the following:

(d) CONTRIBUTIONS TO UNITED NATIONS POPULATION FUND.—

(1) LIMITATIONS ON AMOUNT OF CONTRIBUTION.—Of the amounts made available under subsection (a), not more than \$25,000,000 for fiscal year 2000 shall be available for the United Nations Population Fund (hereinafter in this subsection referred to as the “UNFPA”).

(2) PROHIBITION ON USE OF FUNDS IN CHINA.—None of the funds made available under subsection (a) may be made available for the UNFPA for a country program in the People’s Republic of China.

(3) CONDITIONS ON AVAILABILITY OF FUNDS.—Amounts made available under subsection (a) for fiscal year 2000 for the UNFPA may not be made available to UNFPA unless—

(A) the UNFPA maintains amounts made available to the UNFPA under this section in an account separate from other accounts of the UNFPA;

(B) the UNFPA does not commingle amounts made available to the UNFPA under this section with other sums; and

(C) the UNFPA does not fund abortions.

(4) REPORT TO CONGRESS AND WITHHOLDING OF FUNDS.—

(A) Not later than February 15, 2000, the Secretary of State shall submit a report to the appropriate congressional committees indicating the amount of funds that the United Nations Population Fund is budgeting for the year in which the report is submitted for a country program in the People’s Republic of China.

(B) If a report under subparagraph (A) indicates that the United Nations Population Fund plans to spend funds for a country program in the People’s Republic of China in the year covered by the report, then the amount of such funds that the UNFPA plans to spend in the People’s Republic of China shall be deducted from the funds made available to the UNFPA after March 1 for obligation for the remainder of the fiscal year in which the report is submitted.

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4. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE GEJDENSON OF CONNECTICUT, OR A DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 8, after line 12, insert the following:

(c) CIVIL BUDGET OF THE NORTH ATLANTIC TREATY ORGANIZATION.—For the fiscal year 2000, there are authorized to be appropriated such sums as may be necessary to pay the full amount for the United States assessment for the civil budget of the North Atlantic Treaty Organization.

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5. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE CAPUANO OF MASSACHUSETTS, OR A DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 12, after line 4, insert the following:

(F) INTERNATIONAL RAPE COUNSELING PROGRAM.—Of the amounts authorized to be appropriated in paragraph (1), \$2,500,000 for the fiscal year 2000 are authorized to be appropriated only for a United States based rape counseling program for assistance to women who have been victimized by the systematic use of rape as a weapon in times of conflict and war.

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6. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE SANFORD OF SOUTH CAROLINA, OR A DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 14, line 23, strike “\$17,500,000” and insert “\$12,000,000”.  
 Page 15, strike lines 19 and 20, and insert “\$1,500,000 for the fiscal year 2000.”.  
 Page 21, line 25, strike “\$15,000,000” and insert “\$8,000,000”.

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7. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE SANDERS OF VERMONT, OR A DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 15, after line 20, insert the following:

(6) ISRAEL-ARAB PEACE PARTNERS PROGRAM.—Of the amounts authorized to be appropriated under clause (i), \$1,500,000 for the fiscal year 2000 is authorized to be available only for people-to-people activities (with a focus on young people) to support the Middle East peace process involving participants from Israel, the Palestinian Authority, Arab countries, and the United States, to be known as the “Israel-Arab Peace Partners Program”. Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall submit a plan to the Committee on International Relations of the House of Representatives for implementation of such program. The Secretary shall not implement the plan until 45 days after its submission to the Committee.

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8. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE PAUL OF TEXAS OR A DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 16, strike line 5 and all that follows through line 17 on page 21, and insert the following:  
 None of the amounts authorized to be appropriated under subsection (a) are authorized to be appropriated for a United States contribution to the United Nations, any organ of the United Nations, or any entity affiliated with the United Nations.

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9. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE ROHR-  
ABACHER OF CALIFORNIA, OR A DESIGNEE, DEBATABLE FOR 10  
MINUTES

Page 34, strike line 18, and all that follows through line 9 on  
page 35, and insert the following:

**SEC. 210. EFFECTIVE REGULATION OF SATELLITE EXPORT ACTIVI-  
TIES.**

(a) LICENSING REGIME.—

(1) ESTABLISHMENT.—The Secretary of State shall establish a regulatory regime for the licensing for export of commercial satellites, satellite technologies, their components, and systems which shall include expedited approval, as appropriate, of the licensing for export by United States companies of commercial satellites, satellite technologies, their components, and systems, to NATO allies, major non-NATO allies, and other friendly countries, but not to the Peoples Republic of China.

(2) REQUIREMENTS.—For proposed exports to those nations which meet the requirements of paragraph (1) above, the regime shall include expedited processing of requests for export authorizations that—

(A) are time-critical, including a transfer or exchange of information relating to a satellite failure or anomaly in-flight or on-orbit;

(B) are required to submit bids to procurements offered by foreign persons;

(C) relate to the re-export of unimproved materials, products, or data; or

(D) are required to obtain launch and on-orbit insurance.

(b) FINANCIAL AND PERSONNEL RESOURCES.—Of the funds authorized to be appropriated in section 101(1)(A), \$11,000,000 is authorized to be appropriated for the Office of Defense Trade Controls for fiscal year 2000, to enable that office to carry out its responsibilities.

(c) IMPROVEMENT AND ASSESSMENT.—The Secretary shall, not later than six months after the date of enactment of this Act, submit to the Congress a plan for—

(1) continuously gathering industry and public suggestions for potential improvements in the State Department's export control regime for commercial satellites; and

(2) arranging for the conduct and submission to Congress, not later than 15 months after the date of enactment of this Act, an independent review of the export control regime for commercial satellites as to its effectiveness at promoting national security and economic competitiveness.

10. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BEREU-  
TER OF NEBRASKA, OR A DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 35, after line 9, insert the following:

**SEC. 211. LEASE-PURCHASE AGREEMENTS.**

Whenever the Department of State enters into lease-purchase agreements involving property in foreign countries pursuant to section 1 of the Foreign Service Buildings Act (22 U.S.C. 292), budget

authority shall be scored on an annual basis over the period of the lease in an amount equal to the annual lease payments.

11. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE GEJDENSON OF CONNECTICUT, OR A DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 35, after line 9, insert the following:

**SEC. 211. REPORT CONCERNING PROLIFERATION OF SMALL ARMS.**

Not later than 180 days after the date of enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees a report containing—

(1) an assessment of whether the global trade in small arms poses any proliferation problems including—

(A) estimates of the numbers and sources of licit and illicit small arms and light arms in circulation and their origins;

(B) the challenges associated with monitoring small arms; and

(C) the political, economic, and security dimensions of this issue, and the threats posed, if any, by these weapons to United States interests, including national security interests;

(2) an assessment of whether the export of small arms of the type sold commercially in the United States should be considered a foreign policy or proliferation issue;

(3) a description and analysis of the adequacy of current Department of State activities to monitor and, to the extent possible ensure adequate control of, both the licit and illicit manufacture, transfer, and proliferation of small arms and light weapons, including efforts to survey and assess this matter with respect to Africa and to survey and assess the scope and scale of the issue, including stockpile security and destruction of excess inventory, in NATO and Partnership for Peace countries;

(4) a description of the impact of the reorganization of the Department of State made by the Foreign Affairs Reform and Restructuring Act of 1998 on the transfer of functions relating to monitoring, licensing, analysis, and policy on small arms and light weapons, including—

(A) the integration of and the functions relating to small arms and light weapons of the United States Arms Control and Disarmament Agency with those of the Department of State;

(B) the functions of the Bureau of Arms Control, the Bureau of Nonproliferation, the Bureau of Political-Military Affairs, the Bureau of International Narcotics and Law Enforcement, regional bureaus, and any other relevant bureau or office of the Department of State, including the allocation of personnel and funds, as they pertain to small arms and light weapons;

(C) the functions of the regional bureaus of the Department of State in providing information and policy coordi-



nation in bilateral and multilateral settings on small arms and light weapons;

(D) the functions of the Under Secretary of State for Arms Control and International Security pertaining to small arms and light weapons; and

(E) the functions of the scientific and policy advisory board on arms control, nonproliferation, and disarmament pertaining to small arms and light weapons; and

(5) an assessment of whether foreign governments are enforcing their own laws concerning small arms and light weapons import and sale, including commitments under the Inter-American Convention Against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials or other relevant international agreements.

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12. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE ROHR-  
ABACHER OF CALIFORNIA, OR A DESIGNEE, DEBATABLE FOR 10  
MINUTES

Page 35, after line 9, insert the following:

**SEC. 211. REPORT CONCERNING ATTACK IN CAMBODIA.**

(a) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, and every 6 months thereafter until the investigation referred to in this section is completed, the Secretary of State, in consultation with the Attorney General, shall submit a report to the appropriate congressional committees, in classified and unclassified form containing the most current information on the investigation into the March 30, 1997, grenade attack in Cambodia. Such information shall include all United States Department of State cables, documents, and other written or electronic correspondence between the United States embassy in Phnom Penh and Washington relating to the grenade attack and subsequent investigations.

(b) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this section, the term “appropriate congressional committees” means the Committee on Appropriations, Foreign Relations, and the Judiciary of the Senate and the Committees on Appropriations, International Relations, and the Judiciary of the House of Representatives.

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13. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE KUCINICH  
OF OHIO, OR A DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 35, after line 9, insert the following:

**SEC. 211. REPORT CONCERNING THE DIPLOMATIC INITIATIVES OF  
THE UNITED STATES AND OTHER INTERESTED PARTIES  
IN THE FEDERAL REPUBLIC OF YUGOSLAVIA.**

Not later than 1 year after the date of the enactment of this Act, the Secretary of State shall submit a report to the appropriate congressional committees assessing the diplomatic initiatives of the United States and other interested parties in the period leading up to and during the war in Kosovo. The report shall be written by an independent panel of experts (from the National Academy of Sciences). The report shall give particular consideration to the

Rambouilliet negotiations, diplomatic initiatives undertaken by representatives of Russia, Cyprus, Finland, United States congressional members, other United States citizens, and other parties. The report analysis will evaluate the role of diplomacy in ending the war and compare the final agreement with various proposed agreements dating from before the commencement of the bombing campaign.

14. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE SANDERS OF VERMONT, OR A DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 35, after line 9, insert the following:

**SEC. 211. GENDER RELATED PERSECUTION TASK FORCE.**

(a) ESTABLISHMENT OF TASK FORCE.—The Secretary of State, in consultation with other Federal agencies, shall establish a task force with the goal of determining eligibility guidelines for women seeking refugee status overseas due to gender-related persecution (including but not limited to domestic and workplace violence and female genital mutilation).

(b) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Secretary of State shall prepare and submit to the Congress a report outlining the guidelines determined by the task force under subsection (a).

15. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE SANDERS OF VERMONT, OR A DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 35, after line 9, insert the following (and conform the table of contents accordingly):

**SEC. 211. PROHIBITION ON INTERFERENCE WITH INTELLECTUAL PROPERTY LAW RELATING TO PHARMACEUTICALS OF CERTAIN FOREIGN COUNTRIES.**

No employee of the Department of State shall take any action to deter or to otherwise interfere with any intellectual property law or policy of any country in Africa or Asia (including Israel) that is designed to make pharmaceuticals more affordable if such law or policy, as the case may be, complies with the Agreement on Trade-Related Aspects of Intellectual Property Rights referred to in section 101(d)(15) of the Uruguay Round Agreements Act (19 U.S.C. 3511(d)(15)).

16. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE SALMON OF ARIZONA, OR REPRESENTATIVE ANDREWS OF NEW JERSEY, OR A DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 46, after line 22, insert the following new section:

**SEC. 257. REPORT ON TERRORIST ACTIVITY IN WHICH UNITED STATES CITIZENS WERE KILLED AND RELATED MATTERS.**

(a) IN GENERAL.—Not later than six months after the date of enactment of this Act, and every 6 months thereafter, the Secretary of State shall prepare and submit a report, with a classified annex as necessary, to the appropriate congressional committees regarding terrorist attacks in Israel, in territory administered by Israel, and in territory administered by the Palestinian Authority.

(b) CONTENTS.—Each report under subsection (a) shall contain the following information:

(1) A list of formal commitments the Palestinian Authority has made to combat terrorism.

(2) A list of terrorist attacks, occurring between September 13, 1993 and the date of the report, against United States citizens in Israel, in territory administered by Israel, or in territory administered by the Palestinian Authority, including—

(A) a list of all citizens of the United States killed or injured in such attacks;

(B) the date of each attack and the total number of people killed or injured in each attack;

(C) the person or group claiming responsibility for the attack and where such person or group has found refuge or support;

(D) a list of suspects implicated in each attack and the nationality of each suspect, including information on—

(i) which suspects are in the custody of the Palestinian Authority and which suspects are in the custody of Israel;

(ii) which suspects are still at large in areas controlled by the Palestinian Authority or Israel; and

(iii) the whereabouts (or suspected whereabouts) of suspects implicated in each attack.

(3) Of the suspects implicated in the attacks described in paragraph (2) and detained by Palestinian or Israeli authorities, information on—

(A) the date each suspect was incarcerated;

(B) whether any suspects have been released, the date of such release, and whether any released suspect was implicated in subsequent acts of terrorism; and

(C) the status of each case pending against a suspect, including information on whether the suspect has been indicted, prosecuted, or convicted by the Palestinian Authority or Israel.

(4) The policy of the Department of State with respect to offering rewards for information on terrorist suspects, including any information on whether a reward has been posted for suspects involved in terrorist attacks listed in the report.

(5) A list of each request by the United States for assistance in investigating terrorist attacks listed in the report, a list of each request by the United States for the transfer of terrorist suspects from the Palestinian Authority and Israel since September 13, 1993, and the response to each request from the Palestinian Authority and Israel.

(6) A description of efforts made by United States officials since September 13, 1993, to bring to justice perpetrators of terrorist acts against United States citizens as listed in the report.

(7) A list of any terrorist suspects in each such case who are members of Palestinian police or security forces, the Palestine Liberation Organization, or any Palestinian governing body.

(8) A list of all United States citizens killed or injured in terrorist attacks in Israel or in territory administered by Israel

between 1950 and September 13, 1993, to include in each case, where such information is available, any stated claim or responsibility and the resolution or disposition of each case, including information as to the whereabouts of the perpetrators of the acts, further provided that this list shall be submitted only once with the initial report required under this section, unless additional relevant information on these cases becomes available.

(9) The amount of compensation the United States has requested for United States citizens, or their families, injured or killed in attacks by terrorists in Israel, in territory administered by Israel, or in territory administered by the Palestinian Authority since September 13, 1993, and, if no compensation has been requested, an explanation of why such requests have not been made.

(c) CONSULTATION WITH OTHER DEPARTMENTS.—In preparing each report required by this section, the Secretary of State shall consult and coordinate with all other Government officials who have information necessary to complete the report. Nothing contained in this section shall require the disclosure, on a classified or unclassified basis, of information that would jeopardize sensitive sources and methods or other vital national security interests or jeopardize ongoing criminal investigations or proceedings.

(d) INITIAL REPORT.—Except as provided in subsection (b)(8), the initial report filed under this section shall cover the period between September 13, 1993, and the date of the report.

(e) APPROPRIATE CONGRESSIONAL COMMITTEES.—For purposes of this section, the term “appropriate congressional committee” means the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives.

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17. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE ANDREWS OF NEW JERSEY, OR A DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 46, after line 22, insert the following:

**SEC. 257. DENIAL OF PASSPORTS TO NONCUSTODIAL PARENTS SUBJECT TO STATE ARREST WARRANTS IN CASES OF NON-PAYMENT OF CHILD SUPPORT.**

The Secretary of State is authorized to refuse a passport or revoke, restrict, or limit a passport in any case in which the Secretary of State determines, or is informed by competent authority, that the applicant or passport holder is a noncustodial parent who is the subject of an outstanding State warrant of arrest for non-payment of child support, where the amount in controversy is not less than \$2,500.

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18. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE GIBBONS OF NEVADA, OR A DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 46, after line 22, insert the following:

**SEC. 257. ISSUANCE OF PASSPORTS FOR THE FIRST TIME TO CHILDREN UNDER AGE 14.**

(a) IN GENERAL.—

(1) REGULATIONS.—Not later than 1 year after the date of the enactment of this Act, the Secretary of State shall issue regulations providing that before a child under the age of 14 years is issued a passport for the first time, the requirements under paragraph (2) shall apply under penalty of perjury.

(2) REQUIREMENTS.—

(A) Both parents, or the child's legal guardian, must execute the application and provide documentary evidence demonstrating that they are the parents or guardian; or

(B) the person executing the application must provide documentary evidence that such person—

(i) has sole custody of the child;

(ii) has the consent of the other parent to the issuance of the passport; or

(iii) is in loco parentis and has the consent of both parents, of a parent with sole custody over the child, or of the child's legal guardian, to the issuance of the passport.

(b) EXCEPTIONS.—The regulations required by subsection (a) may provide for exceptions in exigent circumstances, such as, those involving the health or welfare of the child.

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19. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE EHLERS OF MICHIGAN, OR A DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 57, after line 18, insert the following:

**SEC. 303. SCIENCE AND TECHNOLOGY ADVISER TO SECRETARY OF STATE.**

(a) ESTABLISHMENT OF POSITION.—Section 1 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a) is amended by adding at the end the following new subsection:

“(g) SCIENCE AND TECHNOLOGY ADVISER.—

“(1) IN GENERAL.—There shall be within the Department of State a Science and Technology Adviser (in this paragraph referred to as the ‘Adviser’). The Adviser shall have substantial experience in the area of science and technology. The Adviser shall report to the Secretary of State through the Under Secretary of State for Global Affairs.

“(2) DUTIES.—The Adviser shall—

“(A) advise the Secretary of State, through the Under Secretary of State for Global Affairs, on international science and technology matters affecting the foreign policy of the United States; and

“(B) perform such duties, exercise such powers, and have such rank and status as the Secretary of State shall prescribe.”

(b) REPORT.—Not later than six months after receipt by the Secretary of State of the report by the National Research Council of the National Academy of Sciences with respect to the contributions that science, technology, and health matters can make to the foreign policy of the United States, the Secretary of State, acting through the Under Secretary of State for Global Affairs, shall submit a report to Congress setting forth the Secretary of State's plans

for implementation, as appropriate, of the recommendations of the report.

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20. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE CAPPS OF CALIFORNIA, OR A DESIGNEE, DEBATEABLE FOR 10 MINUTES

Page 68, after line 20, insert the following:

(c) SCHOLARSHIPS FOR PRESERVATION OF TIBET'S CULTURE, LANGUAGE, AND RELIGION.—Section 103(b)(1) of the Human Rights, Refugee, and Other Foreign Relations Provisions Act of 1996 (Public Law 104-319; 22 U.S.C. 2151 note) is further amended by striking “Tibet,” and inserting “Tibet (whenever practical giving consideration to individuals who are active in the preservation of Tibet’s culture, language, and religion),”.

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21. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE ENGEL OF NEW YORK, OR A DESIGNEE, DEBATEABLE FOR 10 MINUTES

Page 75, line 7, strike “The Secretary of State” and insert “(a) IN GENERAL.—Except as provided in subsection (b), the Secretary of State”.

“Page 75, line 8, strike “that members” and insert “the following: (1) Members”.

Page 75, beginning on line 13, strike “unless” and insert a period.

Page 75, after line 13, insert the following:

(2) Items designated as crime control and detection instruments and equipment for purposes of section 6(n) of the Export Administration Act (50 U.S.C. app. 2405(n)) are not approved for export for use by the RUC.

Page 75, line 14, strike “the President” and insert the following: “(b) EXCEPTION.—Subsection (a) shall not apply if the President”.

Page 75, beginning on line 20, strike “, in which case” and all that follows through line 21 and insert a period.

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20. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE GILMAN OF NEW YORK, OR REPRESENTATIVE MARKEY OF MASSACHUSETTS, OR DESIGNEE, DEBATEABLE FOR 60 MINUTES

Page 84, after line 16, insert the following (and make such technical and conforming changes as may be necessary):

**SEC. 703. RESTRICTIONS ON NUCLEAR COOPERATION WITH NORTH KOREA.**

(a) IN GENERAL.—Notwithstanding any other provision of law or any international agreement, no agreement for cooperation (as defined in sec. 11 b. of the Atomic Energy Act of 1954 (42 U.S.C. 2014 b.)) between the United States and North Korea may become effective, no license may be issued for export directly or indirectly to North Korea of any nuclear material, facilities, components, or other goods, services, or technology that would be subject to such agreement, and no approval may be given for the transfer or retransfer directly or indirectly to North Korea of any nuclear material, facilities, components, or other goods, services, or technology that would be subject to such agreement, until—

(1) the President determines and reports to the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate that—

(A) North Korea has come into full compliance with its safeguards agreement with the IAEA (INFCIRC/403), and has taken all steps that have been deemed necessary by the IAEA in this regard;

(B) North Korea has permitted the IAEA full access to all additional sites and all information (including historical records) deemed necessary by the IAEA to verify the accuracy and completeness of North Korea's initial report of May 4, 1992, to the IAEA on all nuclear sites and material in North Korea;

(C) North Korea is in full compliance with its obligations under the Agreed Framework;

(D) North Korea is in full compliance with its obligations under the Joint Declaration on Denuclearization;

(E) North Korea does not have the capability to enrich uranium, and is not seeking to acquire or develop such capability, or any additional capability to reprocess spent nuclear fuel;

(F) North Korea has terminated its nuclear weapons program, including all efforts to acquire, develop, test, produce, or deploy such weapons; and

(G) the transfer to North Korea of key nuclear components, under the proposed agreement for cooperation with North Korea and in accordance with the Agreed Framework, is in the national interest of the United States; and

(2) there is enacted a joint resolution stating in substance that the Congress concurs in the determination and report of the President submitted pursuant to paragraph (1).

(b) CONSTRUCTION.—The restrictions contained in subsection (a) shall apply in addition to all other applicable procedures, requirements, and restrictions contained in the Atomic Energy Act of 1954 and other laws.

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23. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE GEJDENSON OF CONNECTICUT, OR A DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 84, after line 16, insert the following:

**SEC. 703. SENSE OF THE CONGRESS REGARDING COLOMBIA.**

(a) FINDINGS.—Congress makes the following findings:

(1) Colombia is a democratic country fighting multiple wars—

(A) a war against the Colombian Revolutionary Armed Forces (FARC);

(B) a war against the National Liberation Army (ELN);

(C) a war against the United Self-Defense Forces of Colombia (AUC) and other paramilitary organizations; and

(D) a war against drug lords who traffic in deadly cocaine and heroin.

(2) In 1998 alone, 308,000 Colombians were internally displaced in Colombia. Over the last decade, 35,000 Colombians have been killed.

(3) The operations of the FARC, ELN, AUC, and other extragovernmental forces have profited from, and become increasingly dependent upon, cooperation with the illicit narcotics trade.

(4) The FARC and ELN have waged the longest-running anti-government insurgencies in Latin America and control roughly 60 percent of the country, including a demilitarized zone ruled by the FARC.

(5) Representatives of the Government of Colombia and the FARC are scheduled to begin peace talks on July 20, 1999.

(b) SENSE OF THE CONGRESS.—It is the sense of the Congress that—

(1) the United States should recognize the crisis in Colombia and play a more pro-active role in its resolution, including offering U.S. political support to help Colombia with the peace process;

(2) all extragovernmental combatant groups, including the FARC, ELN, and AUC, should demonstrate their commitment to peace by ceasing to engage in violence, kidnapping, and cooperation with the drug trade; and

(3) the United States should mobilize the international community to pro-actively engage in resolving the Colombian wars.

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24. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BEREUTER OF NEBRASKA, OR A DESIGNEE, DEBATABLE FOR 20 MINUTES

Page 84, after line 16, add the following (and make such technical and conforming changes as may be necessary):

**SEC. 703. SELF-DETERMINATION IN EAST TIMOR.**

(a) FINDINGS.—The Congress finds the following:

(1) On May 5, 1999, the Government of Indonesia and the Government of Portugal signed an agreement that provides for a vote on the political status of East Timor to be held on August 8, 1999, under the auspices of the United Nations.

(2) On June 22, 1999, the vote was rescheduled for August 21 or 22, 1999, because of concerns that the conditions necessary for a free and fair vote could not be established prior to August 8, 1999.

(3) On January 27, 1999, Indonesian President Habibie expressed a willingness to consider independence for East Timor if a majority of the East Timorese reject autonomy in the August 1999 vote.

(4) Under the agreement between the Governments of Indonesia and Portugal, the Government of Indonesia is responsible for ensuring that the August 1999 vote is carried out in a fair and peaceful way and in an atmosphere free of intimidation, violence, or interference.

(5) The inclusion of anti-independence militia members in Indonesian forces that are responsible for establishing security in East Timor violates this agreement because the agreement



states that the absolute neutrality of the military and police is essential for holding a free and fair vote.

(6) The arming of anti-independence militias by members of the Indonesian military for the purpose of sabotaging the August 1999 ballot has resulted in hundreds of civilians killed, injured, or missing in separate attacks by these militias and these militias continue to act without restraint.

(7) The United Nations Secretary General has received credible reports of political violence, including intimidation and killing, by armed anti-independence militias against unarmed pro-independence civilians in East Timor.

(8) There have been killings of opponents of independence for East Timor, including civilians and militia members.

(9) The killings in East Timor should be fully investigated and the individuals responsible brought to justice.

(10) Access to East Timor by international human rights monitors and humanitarian organizations is limited and members of the press have been threatened.

(11) The presence of members of the United Nations Assistance Mission in East Timor has already resulted in an improved security environment in the East Timorese capital of Dili.

(12) A robust international observer mission and police force throughout East Timor is critical to creating a stable and secure environment necessary for a free and fair vote.

(13) The Administration should be commended for its support for the United Nations Assistance Mission in East Timor which will provide monitoring and support for the ballot and include international civilian police, military liaison officers, and election monitors.

(b) SENSE OF THE CONGRESS.—It is the sense of the Congress that—

(1) the President and the Secretary of State should immediately intensify their efforts to prevail upon the Indonesian Government and military—

(A) to disarm and disband anti-independence militias in East Timor;

(B) to grant full access to East Timor by international human rights monitors, humanitarian organizations, and the press; and

(C) to allow Timorese who have been living in exile to return to East Timor to participate in the vote on the political status of East Timor to be held on August 1999 under the auspices of the United Nations; and

(2) not later than 21 days after the date of the enactment of this Act, the President should prepare and transmit to the Congress a report that contains a description of the efforts of the Administration, and an assessment of the steps taken by the Indonesian Government and military, to ensure a stable and secure environment in East Timor for the vote on the political status of East Timor, including an assessment of the steps taken in accordance with subparagraphs (A), (B), and (C) of paragraph (1).

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25. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE HASTINGS  
OF FLORIDA, OR A DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 84, after line 16, insert the following:

**SEC. 703. SENSE OF THE HOUSE OF REPRESENTATIVES CONCERNING  
HAITIAN ELECTIONS.**

The House of Representatives supports the critically important Haitian parliamentary and local elections scheduled for November 1999 and urges the Department of State to review embassy operations to ensure that the embassy has sufficient personnel and resources necessary to carry out its important responsibilities during the run-up to the fall elections.

26. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE GOOD-  
LING OF PENNSYLVANIA, OR A DESIGNEE, DEBATABLE FOR 10 MIN-  
UTES

Page 84, after line 16, insert the following new title:

**TITLE VIII—PROHIBITION ON ASSIST-  
ANCE TO COUNTRIES THAT CONSIST-  
ENTLY OPPOSE THE UNITED STATES  
POSITION IN THE UNITED NATIONS  
GENERAL ASSEMBLY**

**SEC. 801. PROHIBITION ON ASSISTANCE TO COUNTRIES THAT CON-  
SISTENTLY OPPOSE THE UNITED STATES POSITION IN  
THE UNITED NATIONS GENERAL ASSEMBLY.**

(a) PROHIBITION.—United States assistance may not be provided to a country that consistently opposed the United States position in the United Nations General Assembly during the most recent session of the General Assembly.

(b) CHANGE IN GOVERNMENT.—If—

(1) the Secretary of State determines that, since the beginning of the most recent session of the General Assembly, there has been a fundamental change in the leadership and policies of the government of a country to which the prohibition in subsection (a) applies, and

(2) the Secretary believes that because of that change the government of that country will no longer consistently oppose the United States position in the General Assembly,

the Secretary may exempt that country from that prohibition. Any such exemption shall be effective only until submission of the next report under section 406 of the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991 (22 U.S.C. 2414a). The Secretary shall submit to the Congress a certification of each exemption made under this subsection. Such certification shall be accompanied by a discussion of the basis for the Secretary's determination and belief with respect to such exemption.

(c) WAIVER AUTHORITY.—The Secretary of State may waive the requirement of subsection (a) if the Secretary determines and reports to the Congress that despite the United Nations voting pat-

tern of a particular country, the provision of United States assistance to that country is necessary to promote United States foreign policy objectives.

(d) DEFINITIONS.—As used in this section—

(1) the term “consistently opposed the United States position” means, in the case of a country, that the country’s votes in the United Nations General Assembly coincided with the United States position less than 25 percent of the time, using for this purpose the overall percentage-of-voting coincidences set forth in the annual report submitted to the Congress pursuant to section 406 of the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991;

(2) the term “most recent session of the General Assembly” means the most recently completed plenary session of the General Assembly for which overall percentage-of-voting coincidences is set forth in the most recent report submitted to the Congress pursuant to section 406 of the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991; and

(3) the term “United States assistance” means assistance under—

(A) chapter 4 of part II of the Foreign Assistance Act of 1961 (relating to the economic support fund),

(B) chapter 5 of part II of that Act (relating to international military education and training), or

(C) the “Foreign Military Financing Program” account under section 23 of the Arms Export Control Act.

(e) EFFECTIVE DATE.—This section takes effect upon the date of the submission to the Congress of the report pursuant to section 406 of the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991, that is required to be submitted by March 31, 2000.

27. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE CONDIT OF CALIFORNIA, OR A DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 84, after line 16, insert the following:

## **TITLE VIII—FOREIGN ASSISTANCE REPORTING REFORM**

### **SEC. 801. SHORT TITLE.**

This title may be cited as the “Foreign Assistance Reporting Reform Act of 1999”.

### **SEC. 802. PROHIBITION ON FOREIGN ASSISTANCE AND CONTRIBUTIONS UNLESS CERTAIN REPORTING REQUIREMENTS ARE MET.**

Chapter 1 of part III of the Foreign Assistance Act of 1961 (22 U.S.C. 2351) is amended—

(1) by redesignating the second section 620G (as added by section 149 of Public Law 104–164 (110 Stat. 1436)) as section 620J; and

(2) by adding at the end the following:

**“SEC. 620K. PROHIBITION ON FOREIGN ASSISTANCE AND CONTRIBUTIONS UNLESS CERTAIN REPORTING REQUIREMENTS ARE MET.**

“(a) PROHIBITION.—Notwithstanding any other provision of law, United States assistance may not be provided to a foreign country, and contributions may not be provided to an international organization, for a fiscal year unless—

“(1) such country or organization, as the case may be, prepares and transmits to the United States a report in accordance with subsection (b); and

“(2) the President transmits each such report to the Congress.

“(b) REPORTS TO THE UNITED STATES.—A foreign country that seeks to obtain United States assistance or other international organization that seeks to obtain a United States contribution, shall prepare and transmit to the United States a report that contains—

“(1) the amount of each type of United States assistance or contribution sought;

“(2) the justification for seeking each such type of assistance or contribution;

“(3) the objectives that each such type of assistance or contribution is intended to achieve;

“(4) an estimation of the date by which—

“(A) the objectives of each type of assistance or contribution will be achieved; and

“(B) such assistance or contribution can be terminated; and

“(5) a commitment to provide a detailed accounting of how such assistance or contribution was spent.

“(c) DEFINITIONS.—In this section the term ‘United States assistance’ means—

“(1) assistance authorized under this Act (such as the development assistance program, the economic support fund program, and the international military education and training program) or authorized under the African Development Foundation Act, section 401 of the Foreign Assistance Act of 1969 (relating to the Inter-American Development Foundation), or any other foreign assistance legislation;

“(2) grant, credit, or guaranty assistance under the Arms Export Control Act;

“(3) assistance under the Migration and Refugee Assistance Act of 1962; or

“(4) assistance under any title of the Agricultural Trade Development and Assistance Act of 1954.”.

## TITLE VIII—RESTRICTING UNITED STATES ASSISTANCE FOR RECONSTRUCTION EFFORTS IN KOSOVA TO UNITED STATES-PRODUCED ARTICLES AND SERVICES

### SEC. 801. RESTRICTION ON UNITED STATES ASSISTANCE FOR RECONSTRUCTION EFFORTS IN KOSOVA TO UNITED STATES-PRODUCED ARTICLES AND SERVICES.

(a) PROHIBITION.—Notwithstanding any other provision of law, United States assistance for reconstruction efforts in Kosova due to the armed conflict or atrocities that have occurred in the Federal Republic of Yugoslavia since March 24, 1999, may only consist of articles produced in the United States, services provided by United States persons, or any other related form of United States in-kind assistance.

(b) RULE OF CONSTRUCTION.—A determination as to whether or not an article is produced in the United States in accordance with subsection (a) shall be consistent with the opinions, decisions, rules, or any guidance issued by the Federal Trade Commission regarding the use of unqualified “Made in U.S.A.” or “Made in America” claims in labels on products introduced, delivered for introduction, sold, advertised, or offered for sale in commerce.

(c) DEFINITIONS.—In this section:

(1) ARTICLE.—The term “article” includes any agricultural commodity, steel, construction material, communications equipment, construction machinery, farm machinery, or petrochemical refinery equipment.

(2) FEDERAL REPUBLIC OF YUGOSLAVIA.—The term “Federal Republic of Yugoslavia” means the Federal Republic of Yugoslavia (Serbia and Montenegro) and includes Kosova.

(3) MADE IN AMERICA.—The term “Made in America” has the meaning given unqualified “Made in U.S.A.” or “Made in America” claims for purposes of laws administered by the Federal Trade Commission.

(4) UNITED STATES PERSON.—The term “United States person” means any United States national, including any United States corporation, partnership, other legal entity, organization, or association that is beneficially owned by United States nationals or controlled in fact by United States nationals.

(4) PRODUCED.—The term “produced”, with respect to an item, includes an item mined, manufactured, made, assembled, grown, or extracted.

(5) SERVICE.—The term “service” includes any engineering, construction, telecommunications, or financial service.

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29. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE TRAFICANT OF OHIO, OR A DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 84, after line 16, insert the following:

## **TITLE VIII—LIMITATION ON PROCUREMENT OUTSIDE THE UNITED STATES**

### **SEC. 801. LIMITATION ON PROCUREMENT OUTSIDE THE UNITED STATES.**

(a) **IN GENERAL.**—Funds made available for assistance for fiscal year 2000 under the Foreign Assistance Act of 1961, the Arms Export Control Act, or any other provision of law described in this Act for which amounts are authorized to be appropriated for such fiscal years, may be used for procurement outside the United States or less developed countries only if—

(1) such funds are used for the procurement of commodities or services, or defense articles or defense services, produced in the country in which the assistance is to be provided, except that this paragraph only applies if procurement in that country would cost less than procurement in the United States or less developed countries;

(2) the provision of such assistance requires commodities or services, or defense articles or defense services, of a type that are not produced in, and available for purchase from, the United States, less developed countries, or the country in which the assistance is to be provided;

(3) the Congress has specifically authorized procurement outside the United States or less developed countries; or

(4) the President determines on a case-by-case basis that procurement outside the United States or less developed countries would result in the more efficient use of United States foreign assistance resources.

(b) **EXCEPTION.**—Subsection (a) shall not apply to assistance for Kosovo or the people of Kosovo.

### **30. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE STEARNS OF FLORIDA, OR A DESIGNEE, DEBATABLE FOR 10 MINUTES**

Page 84, after line 16, insert the following:

#### **SEC. 703. SENSE OF CONGRESS RELATING TO LINDA SHENWICK.**

(a) **FINDINGS.**—The Congress makes the following findings:

(1) Linda Shenwick, an employee of the Department of State, in the performance of her duties, informed the Congress of waste, fraud, and mismanagement at the United Nations.

(2) Ms. Shenwick is being persecuted by Secretary of State Madeleine Albright and other State Department officials who have removed her from her current position at the United Nations and withheld her salary.

(3) Ms. Shenwick was even blocked from entering her office at the United States Mission to the United Nations to retrieve her personal effects unless accompanied by an armed guard.

(b) **SENSE OF CONGRESS.**—It is the sense of the Congress that employees of the Department of State who, in the performance of their duties, inform the Congress of pertinent facts concerning their responsibilities, should not as a result be demoted or removed from their current position or from Federal employment.

31. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE WATERS OF CALIFORNIA, OR A DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 84, after line 16, insert the following:

**SEC. 703. SENSE OF CONGRESS CONCERNING SUPPORT FOR DEMOCRACY IN PERU AND THE RELEASE OF LORI BERENSON, AN AMERICAN CITIZEN IMPRISONED IN PERU.**

It is the sense of the Congress that—

(1) the United States should increase its support to democracy and human rights activists in Peru, providing assistance with the same intensity and decisiveness with which it supported the pro-democracy movements in Eastern Europe during the Cold War;

(2) the United States should complete the review of the Department of State investigation of threats to press freedom and judicial independence in Peru and publish the findings;

(3) the United States should use all available diplomatic efforts to secure the release of Lori Berenson, an American citizen who was accused of being a terrorist, denied the opportunity to defend herself of the charges, allowed no witnesses to speak in her defense, allowed no time to privately consult with her lawyer, and declared guilty by a hooded judge in a military court; and

(4) in deciding whether to provide economic and other forms of assistance to Peru, the United States should take into consideration the willingness of Peru to assist in the release of Lori Berenson.

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32. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE CAPPS OF CALIFORNIA, OR REPRESENTATIVE HOUGHTON OF NEW YORK, OR A DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 84, after line 16, insert the following new section:

**SEC. 703. SENSE OF CONGRESS COMMENDING THE PEOPLE OF ISRAEL FOR REAFFIRMING THE DEMOCRATIC IDEALS OF ISRAEL IN ITS ELECTIONS.**

(a) FINDINGS.—The Congress makes the following findings:

(1) Since its creation in 1948, Israel has fulfilled the dreams of its founders who envisioned a vigorous, open, and stable democracy.

(2) The centerpiece of Israeli democracy is its system of competitive and free elections.

(3) On May 17, 1999, the Israeli people—Israeli Jews and Israeli Arabs—went to the polls in large numbers in a remarkably peaceful election.

(4) This election is only the latest example of Israel's commitment to the democratic ideals of freedom and pluralism, values that it shares with the United States.

(b) SENSE OF CONGRESS.—The Congress—

(1) commends the people of Israel for reaffirming, in the May 17, 1999, election, its dedication to democratic ideals;

(2) congratulates Ehud Barak on his election as Prime Minister of Israel; and

(3) pledges to work with the President of the United States and the new Government of Israel to strengthen the bonds between the United States and Israel and to advance the cause of peace in the Middle East.

35. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE ANDREWS OF NEW JERSEY, OR REPRESENTATIVE ROHRBACHER OF CALIFORNIA, OR A DESIGNEE, DEBATABLE FOR 20 MINUTES

Page 84, after line 16, insert the following:

**SEC. 703. SENSE OF CONGRESS THAT THE PRESIDENT SHOULD SEEK A PUBLIC RENUNCIATION BY THE PEOPLE'S REPUBLIC OF CHINA OF ANY USE OF FORCE, OR THREAT TO USE FORCE, AGAINST TAIWAN, AND THAT THE UNITED STATES SHOULD HELP TAIWAN IN CASE OF THREATS OR A MILITARY ATTACK BY THE PEOPLE'S REPUBLIC OF CHINA.**

(a) FINDINGS.—The Congress makes the following findings:

(1) In March of 1996, the political leadership of the People's Republic of China used provocative military maneuvers, including missile launch exercises in the Taiwan Strait, in an attempt to intimidate the people of Taiwan during their historic, free, and democratic presidential elections.

(2) The People's Republic of China refuses to renounce the use of force against Taiwan.

(3) The House of Representatives passed a resolution by a vote of 411–0 in June 1998 urging the President to seek, during his July 1998 summit meeting in Beijing, a public renunciation by the People's Republic of China of any use of force, or threat of use of force, against democratic Taiwan.

(4) Senior United States executive branch officials have called upon the People's Republic of China to renounce the use of force against Taiwan.

(5) The use of force, and the threat to use force, by the People's Republic of China against Taiwan threatens peace and stability in the region.

(6) The Taiwan Relations Act, enacted in 1979, states that “[i]t is the policy of the United States . . . to consider any effort to determine the future of Taiwan by other than peaceful means, including by boycotts or embargoes, a threat to the peace and security of the Western Pacific area and of grave concern to the United States”.

(7) The Taiwan Relations Act states that it is the policy of the United States to provide Taiwan with arms of a defensive character.

(b) SENSE OF CONGRESS.—

(1) The Congress commends the people of Taiwan for having established a democracy in Taiwan over the past decades and repeatedly reaffirming their dedication to democratic ideals.

(2) It is the sense of the Congress that—

(A) the President of the United States should seek a public renunciation by the People's Republic of China of any use of force, or threat to use force, against Taiwan, especially in Taiwan's March 2000 free Presidential elections; and



(B) the United States should help Taiwan defend itself in case of threats or a military attack by the People's Republic of China against Taiwan.

36. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE DOGGETT OF TEXAS, OR A DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 84, after line 16, insert the following new title:

## **TITLE VIII—GULF WAR VETERANS’ IRAQI CLAIMS PROTECTION**

**SEC. 801. SHORT TITLE.**

This title may be cited as the “Gulf War Veterans’ Iraqi Claims Protection Act of 1999”.

**SEC. 802. ADJUDICATION OF CLAIMS.**

(a) CLAIMS AGAINST IRAQ.—The United States Commission is authorized to receive and determine the validity and amounts of any claims by nationals of the United States against the Government of Iraq. Such claims must be submitted to the United States Commission within the period specified by such Commission by notice published in the Federal Register. The United States Commission shall certify to each claimant the amount determined by the Commission to be payable on the claim under this title.

(b) DECISION RULES.—In deciding claims under subsection (a), the United States Commission shall apply, in the following order—

(1) applicable substantive law, including international law; and

(2) applicable principles of justice and equity.

(c) PRIORITY CLAIMS.—Before deciding any other claim against the Government of Iraq, the United States Commission shall, to the extent practical, decide all pending non-commercial claims of active, retired, or reserve members of the United States Armed Forces, retired former members of the United States Armed Forces, and other individuals arising out of Iraq’s invasion and occupation of Kuwait or out of the 1987 attack on the USS Stark.

(d) APPLICABILITY OF INTERNATIONAL CLAIMS SETTLEMENT ACT.—To the extent they are not inconsistent with the provisions of this title, the provisions of title I (other than section 802(c)) and title VII of the International Claims Settlement Act of 1949 (22 U.S.C. 1621–1627 and 1645–1645o) shall apply with respect to claims under this title.

**SEC. 803. CLAIMS FUNDS.**

(a) IRAQ CLAIMS FUND.—The Secretary of the Treasury is authorized to establish in the Treasury of the United States a fund (hereafter in this title referred to as the “Iraq Claims Fund”) for payment of claims certified under section 802(a). The Secretary of the Treasury shall cover into the Iraq Claims Fund such amounts as are allocated to such fund pursuant to subsection (b).

(b) ALLOCATION OF PROCEEDS FROM IRAQI ASSET LIQUIDATION.—

(1) IN GENERAL.—The President shall allocate funds resulting from the liquidation of assets pursuant to section 804 in

the manner the President determines appropriate between the Iraq Claims Fund and such other accounts as are appropriate for the payment of claims of the United States Government against Iraq, subject to the limitation in paragraph (2).

(2) **LIMITATION.**—The amount allocated pursuant to this subsection for payment of claims of the United States Government against Iraq may not exceed the amount which bears the same relation to the amount allocated to the Iraq Claims Fund pursuant to this subsection as the sum of all certified claims of the United States Government against Iraq bears to the sum of all claims certified under section 802(a). As used in this paragraph, the term “certified claims of the United States Government against Iraq” means those claims of the United States Government against Iraq which are determined by the Secretary of State to be outside the jurisdiction of the United Nations Commission and which are determined to be valid, and whose amount has been certified, under such procedures as the President may establish.

**SEC. 804. AUTHORITY TO VEST IRAQI ASSETS.**

The President is authorized to vest and liquidate as much of the assets of the Government of Iraq in the United States that have been blocked pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) as may be necessary to satisfy claims under section 802(a), claims of the United States Government against Iraq which are determined by the Secretary of State to be outside the jurisdiction of the United Nations Commission, and administrative expenses under section 805.

**SEC. 805. REIMBURSEMENT FOR ADMINISTRATIVE EXPENSES.**

(a) **DEDUCTION.**—In order to reimburse the United States Government for its expenses in administering this title, the Secretary of the Treasury shall deduct 1.5 percent of any amount covered into the Iraq Claims Fund to satisfy claims under this title.

(b) **DEDUCTIONS TREATED AS MISCELLANEOUS RECEIPTS.**—Amounts deducted pursuant to subsection (a) shall be deposited in the Treasury of the United States as miscellaneous receipts.

**SEC. 806. PAYMENTS.**

(a) **IN GENERAL.**—The United States Commission shall certify to the Secretary of the Treasury each award made pursuant to section 802. The Secretary of the Treasury shall make payment, out of the Iraq Claims Fund, in the following order of priority to the extent funds are available in such fund:

(1) Payment of \$10,000 or the principal amount of the award, whichever is less.

(2) For each claim that has priority under section 802(c), payment of an additional \$90,000 toward the unpaid balance of the principal amount of the award.

(3) Payments from time to time in ratable proportions on account of the unpaid balance of the principal amounts of all awards according to the proportions which the unpaid balance of such awards bear to the total amount in the Iraq Claims Fund that is available for distribution at the time such payments are made.

(4) After payment has been made of the principal amounts of all such awards, pro rata payments on account of accrued interest on such awards as bear interest.

(b) **UNSATISFIED CLAIMS.**—Payment of any award made pursuant to this title shall not extinguish any unsatisfied claim, or be construed to have divested any claimant, or the United States on his or her behalf, of any rights against the Government of Iraq with respect to any unsatisfied claim.

**SEC. 807. AUTHORITY TO TRANSFER RECORDS.**

The head of any Executive agency may transfer or otherwise make available to the United States Commission such records and documents relating to claims authorized to be determined under this title as may be required by the United States Commission in carrying out its functions under this title.

**SEC. 808. STATUTE OF LIMITATIONS; DISPOSITION OF UNUSED FUNDS.**

(a) **STATUTE OF LIMITATIONS.**—Any demand or claim for payment on account of an award that is certified under this title shall be barred on and after the date that is one year after the date of publication of the notice required by subsection (b).

(b) **PUBLICATION OF NOTICE.**—

(1) **IN GENERAL.**—At the end of the 9-year period specified in paragraph (2), the Secretary of the Treasury shall publish a notice in the Federal Register detailing the statute of limitations provided for in subsection (a) and identifying the claim numbers of, and the names of the claimants holding, unpaid certified claims.

(2) **PUBLICATION DATE.**—The notice required by paragraph (1) shall be published 9 years after the last date on which the Secretary of the Treasury covers into the Iraq Claims Fund amounts allocated to that fund pursuant to section 803(b).

(c) **DISPOSITION OF UNUSED FUNDS.**—

(1) **DISPOSITION.**—At the end of the 2-year period beginning on the publication date of the notice required by subsection (b), the Secretary of the Treasury shall dispose of all unused funds described in paragraph (2) by depositing in the Treasury of the United States as miscellaneous receipts any such funds that are not used for payments of certified claims under this title.

(2) **UNUSED FUNDS.**—The unused funds referred to in paragraph (1) are any remaining balance in the Iraq Claims Fund.

**SEC. 809. DEFINITIONS.**

As used in this title:

(1) **EXECUTIVE AGENCY.**—The term “Executive agency” has the meaning given that term by section 105 of title 5, United States Code.

(2) **GOVERNMENT OF IRAQ.**—The term “Government of Iraq” includes agencies, instrumentalities, and entities controlled by that government (including public sector enterprises).

(3) **UNITED NATIONS COMMISSION.**—The term “United Nations Commission” means the United Nations Compensation Commission established pursuant to United Nations Security Council Resolution 687 (1991).

(4) UNITED STATES COMMISSION.—The term “United States Commission” means the Foreign Claims Settlement Commission of the United States.

37. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE ENGEL OF NEW YORK, OR A DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 84, after line 16, add the following (and conform the table of contents accordingly):

**SEC. 703. KOSOVAR ALBANIAN PRISONERS HELD IN SERBIA.**

(a) FINDINGS.—The Congress makes the following findings:

(1) At the conclusion of the NATO campaign to halt the Serbian and Yugoslav ethnic cleansing in Kosova, a large, but undetermined number of Kosovar Albanians held in Serbian prisons in Kosova were taken from Kosova before and during the withdrawal of Serbian and Yugoslav police and military forces from Kosova.

(2) Serbian Justice Minister Dragoljub Jankovic has admitted that 1,860 prisoners were brought to Serbia from Kosova on June 10, 1999, the day Serbian and Yugoslav police and military forces began their withdrawal from Kosova.

(3) International humanitarian organizations, including the International Committee of the Red Cross (ICRC) and Human Rights Watch, have expressed serious concern with the detention of Kosovar Albanians in prisons in Serbia.

(4) On June 25, 1999, Serbia released 166 of the detained Kosovar Albanian prisoners to the ICRC.

(5) On July 10, 1999, the Parliamentary Assembly of the Organization for Security and Cooperation in Europe, comprised of parliamentarians from across Europe, the United States and Canada, adopted a resolution calling upon Serbia and Yugoslavia, in accordance with international humanitarian law, to grant full, immediate and ongoing ICRC access to all prisoners held in relation to the Kosova crisis, to ensure the humane treatment of such prisoners, and to arrange for the release of all such prisoners.

(b) SENSE OF CONGRESS.—It is the sense of the Congress that—

(1) the Serbian and Yugoslav Governments should immediately account for all Kosovar Albanians held in their prisons and treat them in accordance with all applicable international standards;

(2) the ICRC should be given full, immediate, and ongoing access to all Kosovar Albanians held in Serbian and Yugoslav prisons; and

(3) all Kosovar Albanians held in Serbian and Yugoslav prisons should be released and returned to Kosova.

38. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE ENGEL OF NEW YORK, OR REPRESENTATIVE WEINER OF NEW YORK, OR A DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 84, after line 16, add the following (and conform the table of contents accordingly):

**SEC. 703. RECOGNITION OF THE MAGEN DAVID ADOM SOCIETY IN ISRAEL AS A FULL MEMBER OF THE INTERNATIONAL RED CROSS AND RED CRESCENT MOVEMENT.**

(a) FINDINGS.—The Congress finds the following:

(1) It is the mission of the International Red Cross and Red Crescent Movement to prevent and alleviate human suffering, wherever it may be found, without discrimination.

(2) The International Red Cross and Red Crescent Movement is a worldwide institution in which all National Red Cross and Red Crescent Societies have equal status and share equal responsibilities.

(3) The state of Israel has ratified the Geneva Conventions which govern the International Red Cross and Red Crescent Movement.

(4) The Magen David Adom Society is the national humanitarian society in the state of Israel.

(5) The Magen David Adom Society follows all the principles of the International Red Cross and Red Crescent Movement.

(6) Since the founding of the Magen David Adom Society in 1930, the American Red Cross has regarded it as a sister national society and close working ties have been established between the two societies.

(7) The Magen David Adom Society is excluded from full membership in the International Conference of the Red Cross and Red Crescent Movement solely because the Society is not an official protective symbol recognized by either the Geneva Conventions governing the International Red Cross and Red Crescent Movement or the Statutes of the International Red Cross and Red Crescent Movement.

(8) During the past 25 years the American Red Cross has consistently advocated recognition and membership of the Magen David Adom Society in the International Red Cross and Red Crescent Movement.

(9) The state of Israel has unsuccessfully tried in the past to amend the Geneva Conventions to allow for the emblematic recognition of the Magen David Adom Society.

(10) Recognition of the Magen David Adom Society in Israel as a member of the International Red Cross and Red Crescent Movement would help fortify the spirit of goodwill in the Middle East peace process.

(b) SENSE OF THE CONGRESS.—It is the sense of the Congress that—

(1) the President should, at the earliest possible date, enlist the cooperation of all nations that are signatory to the Geneva Conventions to ensure that the recognition of the Magen David Adom Society in Israel as a full member of the International Red Cross and Red Crescent Movement is resolved at the forthcoming 27th International Conference of the Red Cross and Red Crescent; and

(2) the President should support a resolution by that Conference requesting the International Committee of the Red Cross to waive on an exceptional basis the 5th condition of recognition in article 4 of its Statutes of the Movement, thus enabling the full participation of the Magen David Adom Society

as a member of the International Red Cross and Red Crescent Movement.

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39. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE DELAHUNT OF MASSACHUSETTS, OR A DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 84, after line 16, add the following (and conform the table of contents accordingly):

**SEC. 703. ANNUAL REPORTING ON WAR CRIMES, CRIMES AGAINST HUMANITY, AND GENOCIDE.**

(a) SECTION 116 OF FOREIGN ASSISTANCE ACT OF 1961.—Section 116(d) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151n(d)) is amended—

- (1) in paragraph (6), by striking “and” at the end;
- (2) in paragraph (7), by striking the period at the end and inserting “and”; and
- (3) by adding at the end the following:
  - “(8) wherever applicable, consolidated information regarding the commission of war crimes, crimes against humanity, and evidence of acts that may constitute genocide.”.

(b) SECTION 502B OF THE FOREIGN ASSISTANCE ACT OF 1961.—Section 502B(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2304(b)) is amended by inserting after the first sentence the following: “Wherever applicable, such report shall include consolidated information regarding the commission of war crimes, crimes against humanity, and evidence of acts that may constitute genocide.”.

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40. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE HALL OF OHIO, OR A DESIGNEE, DEBATABLE FOR 20 MINUTES

Page 84, after line 16, insert the following:

**SEC. 703. SENSE OF CONGRESS SUPPORTING HUMANITARIAN ASSISTANCE TO THE PEOPLE OF BURMA.**

It is the sense of the Congress that the United States Government should support humanitarian assistance that is targeted to the people of Burma and is carefully monitored to ensure that it does not support the Government of Burma.

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41. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE GILMAN OF NEW YORK, OR A DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 84, after line 16, insert the following:

**SEC. 703. SENSE OF CONGRESS REGARDING SUPPORT FOR THE IRAQI DEMOCRATIC OPPOSITION.**

It is the sense of Congress that the United States Government should—

- (1) respond favorably to a request of the Executive Council of the Iraqi National Congress for United States support for holding a plenary session of the Iraqi National Assembly in Salahuddin, Iraq in the near future;

(2) provide appropriate security guarantees to contribute to the success of the Iraqi National Assembly meeting in Salahuddin; and

(3) utilize the authority of the Iraq Liberation Act of 1998 (Public Law 105–338) to provide meaningful assistance to the Iraqi democratic opposition following the successful conclusion of the Iraqi National Assembly meeting.

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106th Congress  
1st Session

**H. RES. \_\_\_\_\_**

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Providing for consideration of the bill (H.R. 2415) to enhance security of United States missions and personnel overseas, to authorize appropriations for the Department of State for fiscal year 2000, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

JULY 14, 1999

Mr. DIAZ-BALART, from the Committee on Rules, reported the following resolution which was referred to the House Calendar and ordered to be printed.

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**RESOLUTION**

Providing for consideration of the bill (H.R. 2415) to enhance security of United States missions and personnel overseas, to authorize appropriations for the Department of State for fiscal year 2000, and for other purposes.

*Resolved*, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2415) to enhance security of United States missions and personnel overseas, to authorize appropriations for the Department of State for fiscal year 2000, and for other purposes. The first reading of the bill shall be dispensed with. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on International Relations. After general debate the bill shall be considered for amendment under the five-minute rule. The bill shall be considered as read. Before consideration of any other amendment it shall be in order to consider the first amendment printed in part A of the report of the Committee on Rules accompanying this resolution, if offered by Representative Gilman or his designee. That amendment shall be considered as read, shall be debatable for 10 minutes equally divided and controlled by the proponent and an opponent,

shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against that amendment are waived. After disposition of that amendment, the provisions of the bill as then amended shall be considered as original text for the purpose of further amendment under the five-minute rule. No further amendment to the bill shall be in order except those printed in the report of the Committee on Rules accompanying this resolution and amendments en bloc described in section 2 of this resolution. Each amendment printed in the report of the Committee on Rules may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment except as specified in the report, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. The Chairman of the Committee of the Whole may: (1) postpone until a time during further consideration in the Committee of the Whole request for a recorded vote on any amendment; and (2) reduce to five minutes the minimum time for electronic voting on any postponed question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first in any series of questions shall be 15 minutes. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. It shall be in order at any time for the chairman of the Committee on International Relations or his designee to offer amendments en bloc consisting of amendments printed in part B of the report of the Committee on Rules not earlier disposed of or germane modifications of any such amendment. Amendments en bloc offered pursuant to this section shall be considered as read (except that modifications shall be reported), shall be debatable for 20 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on International Relations or their designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee on the Whole. For the purpose of inclusion in such amendments en bloc, an amendment printed in the form of a motion to strike may be modified to the form of a germane perfecting amendment to the text originally proposed to be stricken. The original proponent of an amendment included in such amendments en bloc may insert a statement in the Congressional Record immediately before the disposition of the amendments en bloc.

SEC. 3. After passage of H.R. 2415, it shall be in order to take from the Speaker's table the bill S. 886 and to consider the Senate bill in the House. All points of order against the Senate bill and against its consideration are waived. It shall be in order to move to strike all after the enacting clause of the Senate bill and to in-



sert in lieu thereof the provisions of H.R. 2415 as passed by the House. All points of order against that motion are waived.

